

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.5848 of 2017

Arising Out of PS.Case No. -26 Year- 2014 Thana -BELA District- SITAMARHI

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Baidynath Baitha @ Baijnath Baitha, Son of Bhaglu Baitha, resident of
Village-Kachaharipur, P.S.-Sonbarsa, District-Sitamarhi.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kumar Gangesh Gunjan

For the Opposite Party/s : Mr. Uday Chand Prasad

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR
ORAL ORDER

3 15-03-2017 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner, already in custody, seeks bail in
connection with Bela P.S. Case No. 26 of 2014 registered under
Sections 323, 363, 364 and 365 of the Indian Penal Code.

Allegation in brief is that all accused persons have
taken away the complainant's major son for his engagement as a
labourer in Punjab in the year 2011 and thereafter, he is missing.

Learned counsel appearing on behalf of the
petitioner submits that there is omnibus allegation against the
petitioner as there is no specific allegation against him. Moreover,
the case is lodged after one and half year since the complainant's
son went to Punjab. In fact complainant's son is mentally retarded,



which has come in the case diary during investigation and this petitioner has no role in the alleged occurrence and the complainant waited for seven months after knowing that her son was missing and thereafter, the complaint was lodged. The petitioner has no criminal antecedent.

Having considered the aforesaid facts and circumstances, the petitioner, namely, Baidynath Baitha @ Baijnath Baitha, is directed to be released on bail upon furnishing bail bond of Rs. 10,000/- with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Sitamarhi in connection with Bela P.S. Case No. 26 of 2014.

(Arun Kumar, J)

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