

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.45704 of 2018

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Bharat Singh, Son of Peyare Singh, Resident of Village- Kundi Khada
Police Station- Bhawani Mandi, District- Jhalaber Pachhar (Rajasthan).

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Rabindra Prasad Singh, Advocate.

For the Opposite Party : Mr. Ramesh Chandra, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH

ORAL ORDER

3 13-09-2018 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since
18.05.2018 in a case for the offence registered under Sections 363
and 365 of the IPC.

The prosecution story, in brief, is that on 11.08.2017
at 3.00 P.M. the daughter of the informant, namely, Shivani
Kumari, aged about 14 years, alongwith co-accused Priya Devi,
who was having a child aged about one year in her lap, went out
for *Katrisarai Market* but when after lapse of so many time, she
did not return to her house, search was made for her, no clue was
found. It is further alleged that co-accused Priya Devi had a
mobile bearing No. 8084482694 and she was married two years
before with Jitendra Pandey.

It has been submitted by learned counsel for the



petitioner that the petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner is not named in the F.I.R. The only evidence against the petitioner is that the mobile of the petitioner is said to be used in the alleged occurrence. The said evidence has come in paragraph no. 157 of the case diary. Except for this, there is no other substantive evidence to suggest the implication of the petitioner in respect of offence under Sections 363 or 365 of the IPC.

On behalf of the learned counsel for the State, it has been submitted that the petitioner not is named in the F.I.R. His name has come in course of investigation.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M.-I, Nalanda at Biharsharif, in connection with Giriyak (Katari Sarai) P.S. Case No. 254 of 2017.

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(Sudhir Singh, J)