

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.39392 of 2018

Arising Out of PS. Case No.-89 Year-2018 Thana- CHAND District- Bhabhua (Kaimur)

Raju Jaiswal, Son of Nathuni Jaiswal, Resident of Village- Kilani, Post-Kilani, P.S.- Chand, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Adv.

For the Opposite Party/s : Mr. Rajesh Kumar, APP

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

3 06-09-2018 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since 20.04.2018 in connection with Chand P.S. Case No. 89 of 2018 for offences punishable under Sections 363, 365, 368, 370 and 34 of the Indian Penal Code.

The prosecution case, as lodged by the informant, is that while he was busy with his sister's marriage and his eight month son was playing, co-accused Asha Devi took her son and thereafter the petitioner was found in the village who was also present with co-accused Asha Devi, who had taken her son. During investigation however, the petitioner was found involved in selling the son of the informant to a priest in connivance with co-accused Asha Devi.



It has been submitted by the learned counsel for the petitioner that he is innocent, bears no criminal history and has been falsely implicated in the aforesaid case. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses.

However, learned APP for the State opposes the prayer for bail stating therein that the infant child of the informant was sold to a priest for Rs.50,000/- and the petitioner and co-accused Asha Devi was found involved in the said selling.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged on bail on completion of nine months in custody on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Kaimur at Bhabua in connection with Chand P.S. Case No. 89 of 2018, subject to the following conditions :

- (i) One of the bailors would be a close relative of the petitioner having sufficient immovable property, who will file an affidavit stating his relationship with the petitioner.
- (ii) Petitioner will appear before the learned court below



during trial as and when required and failure to appear
on two consecutive dates without assigning any reason
will entail cancellation of his bail bonds.

(Nilu Agrawal, J)

Rajesh/Pragya

U		T	
---	--	---	--

