

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10353 of 2019

Arising Out of PS. Case No.-626 Year-2018 Thana- BUXAR District- Buxar

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Pintu Yadav @ Pintu Baba, Son of Dharmnath Yadav @ Dharmdeo Singh,
R/o village- Hardiya Ke Mathiya Barki, P.S- Jagdishpur, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sunil Kumar Yadav, Adv.

For the Opposite Party/s : Mr. Choubey Jawahar, APP

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CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 25-02-2019 Heard learned counsels for the petitioner and the

State.

The petitioner is languishing in custody since 07.11.2018
in a case registered for the offences punishable under Sections
364 and 120(B) of the IPC.

The prosecution case, as per the written report of Kanti
Devi, submitted to the Station House Officer, Buxar Town
Police Station, is to the effect that on 05.11.2018, the informant
went to offer worship along with her two minor daughters but as
soon as they reached near the temple, an unknown boy who
disclosed name of some person belonging to the informant and



assured her to keep watch on her daughters. On the assurance of the unknown boy, the informant left both her minor daughters with that person and went for worshipping, when the informant returned, the youngest daughter was found missing, leading to registration of FIR against unknown. It is further alleged that during investigation, it has transpired that the petitioner confessed the fact of kidnapping of the daughter of the informant and also stated that the child was handed over to, one Suman Devi, the wife of one Ajay Singh Yadav. Suman Devi, from whose possession the child was recovered also stated that the child was handed over to her by the petitioner.

It is submitted by learned counsel for the petitioner that even assuming the accusation to be true, no offence under Section 364 of the I.P.C. is made out against the petitioner as neither the victim nor co-accused Suman Devi from whose possession, the child was recovered has stated that any threat was given to the child or she was being kidnapped for any other purposes. It is further submitted that the investigation has already been concluded. A statement has been made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent.

It is submitted by learned APP for the State that the



petitioner has confessed his guilt.

Considering the fact that the investigation has already been concluded, coupled with the statement made in paragraph no.3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of like amount each to the satisfaction of learned **C.J.M., Buxar**, in connection with **Buxar Town P.S. Case No. 626 of 2018.**

(Dinesh Kumar Singh, J)

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