

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51053 of 2019

Arising Out of PS. Case No.-761 Year-2018 Thana- BETTIAH CITY District- West
Champaran

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AMIR MIYA CHAYWALA, Gender-Male, aged about 40 years, Son of Late Manir Miya, Resident of Village-Baswariya near Maszid, Police Station-Bettiah Town, District-West Champaran.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner : Mr.Sanjay Kumar No 7 and Mr. Anant Kumar Mishra, Advocates.

For the Opposite Party : Mr.Brajendra Nath Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

17-08-2019 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner is languishing in custody since 25.10.2018 in a case for the offence registered under Section 365 of the IPC.

The prosecution story, in brief, is that the marriage of the informant was solemnized with one Seema Devi in the year 2001. From their wedlock, he has a daughter and a son. On 28.08.2018 at 9 O'clock, when he went from his house for searching a job, his daughter Pooja Kumari gave information to him on phone that her mother was not at the home. He returned and found her wife missing. Then he searched her in his relatives and his matrimonial home but could not found her. On 02.09.2018, he came to know that her wife went with this



petitioner. When he went to the house of the petitioner, then he came to know that the petitioner was also missing from 28.08.2018 at 10-11 O'clock.

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 victim has been recovered. As per the statement of the victim recorded under Section 164 Cr. P.C., no allegation of sexual or physical assault has been alleged against this petitioner by the victim.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

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 C.J.M. Bettiah, West Champaran, in connection with Bettiah Town P.S. Case No. 761 of 2018.

(Sudhir Singh, J)

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