

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75930 of 2018

Arising Out of PS. Case No.-79 Year-2017 Thana- BALTHAR District- West Champaran

Mukesh Prasad Son of Srivedanand Prasad, resident of Village- Awasanpur,
Police Station- Balthar, District- West Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiv Kumar Dwivedy

For the Opposite Party/s : Mr.Sri Ahmad Ali

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

3 21-01-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in Balthar P.S. Case No.
79/2017, instituted for offences under Section(s) 363, 365/34 of
the Indian Penal Code.

It is alleged in the written report that daughter of
informant was married with this petitioner ten years back. A boy
and a girl was also born from the wedlock. The informant was
always in contact with his daughter but for the last three to four
months he had no contact with his daughter. Thereafter
informant went to the house of her daughter and enquired from
petitioner about his daughter but he did not give any information
about his daughter.

Learned counsel for the petitioner has submitted that



daughter of informant is habitual in running away from her house. It has come in paragraphs 6 and 8 of case diary, which is statement of son and wife of informant, that earlier Sita Devi (daughter of informant) was married with Saral Prasad. She had an issue with Saral Prasad. During course of that marriage, she developed intimacy with this petitioner and fled away with him to Nepal and started living with him. She was blessed with a son and a daughter from their wedlock.

Learned counsel for the petitioner has submitted that in Nepal daughter of informant had left the house and fled away with one Saheb Yadav, which has come in para 52 of case diary in the statement of son of victim lady (daughter of informant), who has stated that his mother has gone with Saheb Yadav who was living near his house.

Learned counsel for the petitioner has further submitted that this petitioner had earlier filed Sanha in Nepal, which is annexed as Annexure-2, about missing of his wife, who had gone away with Saheb Yadav. Petitioner has given name and address of aforesaid Saheb Yadav in the aforesaid Sanha.

Petitioner is in custody since 20.08.2018.

Considering the aforesaid facts and circumstances, prayer of the petitioner for grant of bail is allowed. Let the



petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned **Chief Judicial Magistrate, Bettiah, West Champaran** in connection with **Balthar P.S. Case No. 79/2017**, subject to the conditions that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

rakhi/-

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

