

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8634 of 2023

Arising Out of PS. Case No.-716 Year-2019 Thana- BEGUSARAI TOWN District- Begusarai

DINESH MAHTO Son of Kailu Mahto Resident of Ward No.- 28, Bihat, P.S.-
Barauni, District - Begusarai

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arjun Prasad, Advocate

For the Opposite Party/s : Mr. Satya Nand Shukla, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

7 02-08-2023

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for bail in connection with Begusarai Town P.S. Case no.716 of 2019 registered under sections 363 and 366A of the Indian Penal Code.

3. As per the prosecution case, the minor daughter of the informant disappeared and on search, it transpired that the petitioner who was the tenant in the adjacent house has taken away his daughter.

4. Learned counsel for the petitioner submits that the earlier application for bail of the petitioner was rejected vide order dated 15.2.2022 (Annexure-1) passed in Cr. Misc. no.31012 of 2021.

5. Referring to the supplementary affidavit filed on



behalf of the petitioner, learned counsel submits that earlier charge was framed on 22.9.2022 under section 366A/34 of the Indian Penal Code. Subsequently, by order dated 16.12.2022 further charge was framed by adding section 376 of the Indian Penal Code. It is stated that the petitioner is in custody since 15.1.2020 and undertakes to cooperate in the trial.

6. The application for bail is opposed by learned APP for the State.

7. Having heard learned counsel for the parties and from the material on record it transpires that the daughter of the informant ie victim has supported the prosecution case in her statement under section 164 Cr.P.C.

8. In view of the facts of the case, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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