

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33500 of 2023**

Arising Out of PS. Case No.-1710 Year-2019 Thana- KATIHAR COMPLAINT CASE
District- Katihar

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JETHA MARANDI Son of Sanjhala Marandi Resident of Village - Jhunki,
P.S.- Dhandkhora, District - Katihar.

... .. Petitioner/s

Versus

The State of Bihar & Anr.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Munish Om Prakash Singh, Advocate
For the Opposite Party/s : Mr.Anil Prasad Singh, APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER**

2 24-06-2023 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period

of four weeks from today.

The petitioner seeks bail in connection with

Complaint Case No. 1710 of 2019 registered for the offence

under Section 364 of the Indian Penal Code.

The accused/petitioner is named in the F.I.R. and is in

custody since 28.01.2023.

The allegation against the petitioner is to kidnap the

minor daughter of informant alongwith other co-accused

persons.

Learned counsel appearing on behalf of the petitioner



submitted that the implication of petitioner in present case is only appearing for the reason that he is the husband of co-accused Sunita Hembram, with whom the minor daughter of informant found “last seen”. It is further submitted that police after investigation submitted final report bearing No. 20 of 2019 dated 09.03.2019, where protest cum complaint petition bearing No. 1710 of 2019 was registered. It is also submitted that the complaint case was filed after three years of the occurrence. It is also submitted that no incriminating material surfaced during the course of investigation. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP, opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as nothing incriminating material surfaced during the course of investigation against this petitioner, where implication appears *prima facie* being husband of co-accused, namely, Sunita Hembram, who alleged to be found last seen with minor daughter of informant, coupled with the fact that charge-sheet has already been submitted, where petitioner is in custody since



28.01.2023, accordingly, the petitioner, above named, is directed to be released on bail in connection with Complaint Case No. 1710 of 2019 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate 1st, Katihar/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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