

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28001 of 2015

Arising Out of PS.Case No. -83 Year- 2015 Thana -KRITYANAND NAGAR District- PURNIA

1. Chandan Yadav @ Sidio @ Sedio Yadav @ C.D.O. Yadav S/o Late Bhuvdeo Yadav Resident of Village Bairakh, Koskapur, P.S. Raniganj, District Araria.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amit Kumar Anand

For the Opposite Party/s : Mr. A.M.P.Mehta(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

3 15-10-2015 Heard learned counsel for the petitioner and learned counsel representing the State.

Petitioner seeks bail in connection with K. Nagar (Champa Nagar) P.S. Case No. 83 of 2015 registered for the offences punishable under Sections 363 and 366A of the Indian Penal Code.

Dimpi Kumari aged about 13 years the daughter of the informant was kidnapped and after recovery she has stated alias name of the petitioner but denied to identify other two boys who kidnapped her.

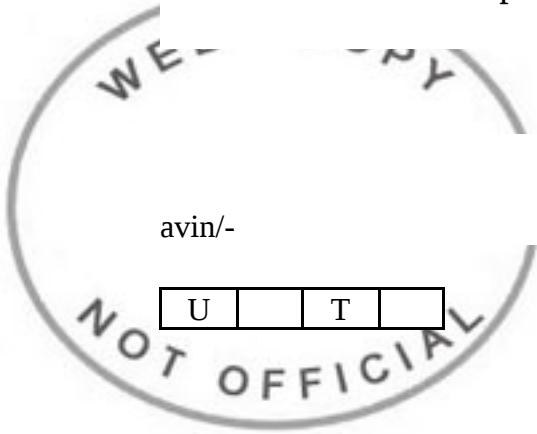
Submission is that the victim girl has not stated anything that the petitioner even tried to develop physical



relationship with her which is evident from her statement recorded under Section 164 Cr.P.C. Love affair was going on between the victim and the petitioner and the victim went with the petitioner out of her own sweet will to Punjab for making journey trip. There is contradiction in her statement recorded under Section 161 Cr.P.C. from the statement recorded under Section 164 Cr.P.C. and as such the petitioner who is suffering in custody since 23.03.2015 deserves sympathetic consideration to which the learned APP opposes by submitting that the victim girl has supported her kidnapping by the petitioner and others and she is minor also but has not stated that the petitioner even tried to develop physical relationship with her.

In the facts and circumstances stated above, the petitioner above named is directed to be released on bail on execution of bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 1st Additional Sessions Judge, Purnea in connection with K. Nagar (Champa Nagar) P.S. Case No. 83 of 2015, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two

consecutive dates on his part without any reason shall disentitle
the petitioner from privilege of bail.



(Jitendra Mohan Sharma, J)

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