

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42401 of 2015

Arising Out of PS.Case No. -33 Year- 2015 Thana -RAJAULI District- NAWADA

1. Bikki Yadav S/O Ramavatar Yadav, resident of village- Karanpur, P.S.-
Rajauli, District- Nawadah..... Petitioner

Versus

1. The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh

For the Opposite Party/s : Mr. B.N.Pandey(App)

CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

5 15-12-2015 Heard learned counsel for the petitioner and learned counsel
representing the State.

The petitioner seeks bail in connection with Rajauli P.S. Case
No. 33 of 2015 registered for the offences punishable under Sections
363 and 366A of the Indian Penal Code.

Allegedly, the petitioner and other co-accused kidnapped
Kamla Kumari aged 15 years the daughter of the informant but under
pressure and panchayati left the daughter of the informant on the next
day itself.

Submission is of false implication and that the grandfather of
the victim has not supported the allegation of kidnapping vide
paragraph 8 of the case diary and the witnesses Chando Yadav and
Bulo Devi have also not supported the allegation of kidnapping vide
para 9 and 11 of the case diary. The grandmother of the victim
Sarsatiya Devi has also not supported the allegation of kidnapping vide
para 10 of the case diary and the petitioner who is suffering in custody

since 06.04.2015 deserves sympathetic consideration as chargesheet has already been submitted and there is no chance of tampering with prosecution evidence.

Learned APP fairly submits that the witnesses named above have not supported the allegation of kidnapping but the informant and other witnesses have supported the allegation.

In the facts and circumstances stated above, considering that chargesheet has already been submitted and there is no chance of tampering with prosecution evidence, 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 learned Chief Judicial Magistrate, Nawada in connection with Rajauli P.S. Case No. 33 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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