

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35733 of 2014

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Shishupal Kumar Yadav S/o Late Rajballav Yadav Resident of village-
Naya Khanda, P.S.- Harnaut (Telmar), Distt.- Nalanda Petitioner
with

Criminal Miscellaneous No.37871 of 2014

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Sharwan Yadav Son of late Dukhit Yadav resident of Village - Punda, P.S. -
Fatuha, District - Patna. Petitioner

with

Criminal Miscellaneous No.40715 of 2014

Arising Out of PS.Case No. -283 Year- 2013 Thana -HARNAUT
District- NALANDA (BIHARSHARIFF) in all the three cases

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Ramu Kumar Son of Bijendra Yadav Resident of Village Naya Khandha,
P.S. Hernaut (Telmor) District Nalanda Petitioner

Versus

The State of Bihar Opposite Party in all cases

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Appearance :

(In Cr.Misc. No.35733 of 2014)

For the Petitioner/s : Mr. Sunil Srivastava

For the Opposite Party/s : Mr. Amitesh Kumar(App)

(In Cr.Misc. No.37871 of 2014)

For the Petitioner/s : Mr. Sunil Srivastava

For the Opposite Party/s : Mr. A.Haque Sahara(App)

(In Cr.Misc. No.40715 of 2014)

For the Petitioner/s : Mr. Anirudh Kumar Singh

For the Opposite Party/s : Mr. A.Dayal(App)

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**CORAM: HONOURABLE MR. JUSTICE SAMARENDRA
PRATAP SINGH**

ORAL ORDER

2 20-02-2015 These anticipatory bail petitions are taken up together
and are being disposed of by this common order.

The petitioners apprehend their arrest in a case under
sections 366/34 of the Indian Penal Code.

The informant stated that her daughter, Puja Kumari,
aged 16 years had gone out of the house at 8 AM of 12.11.2013
to open an account of scholarship at Biharsharif. However,



when she did not return till evening, the informant started searching her. The victim was also wearing costly ornaments and had Rs.2000/- in hand. On 21.11.2013 she learnt that petitioner, Shishupal Kumar Yadav (of Cr.Misc.No.35733/2014), aged 18 years had abducted her daughter. The informant further alleged that for last 20 days before the occurrence, Bindu Kumari, mother of Shishupal Kumar Yadav used to come to her place.

Learned counsel appearing for petitioner, Shishupal Kumar Yadav submits that the girl in her statement stated that she had affair with him and he had not abducted her, rather Sharwan Yadav (petitioner of Cr.Misc.No.37871 of 2014), cousin of petitioner, Shishupal Kumar Yadav forced them to flee away.

It is submitted on behalf of Sharwan Kumar that he did not force Shishupal Kumar Yadav and Puja Kumari to flee away. In fact, he happens to be cousin of Shishupal Kumar Yadav and as such he has been falsely implicated in this case. Furthermore, his case is on similar footing as that of Shishupal Kumar Yadav.

Petitioners also submit that accused, Bindu Kumari and Dharmendra yadav, have already been enlarged on anticipatory bail on 8.5.2014 vide Cr.Misc.No.12488 of 2014.

Having regard to the facts and circumstances of the case, in the event of arrest/surrender, let the petitioner, Shishupal Kumar Yadav be released on bail on furnishing bail bond of Rs.5000/- with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Nalanda at Bihar Sharif in Harnaut (Telmar) Police station Case No. 283 of 2013, GR No.4783 of 2013.

Petitions of anticipatory bail of petitioners, Sharwan Kumar and Ramu Kumar are disposed of with direction that if the learned Magistrate finds their case to be similar to Shishupal Kumar Yadav, or any of the accused who have been enlarged on Anticipatory bail, they would also be released on bail to the satisfaction of the court concerned, otherwise the same would be disposed of on its own merit without prejudice.

(Samarendra Pratap Singh, J)

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