

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No.42003 of 2015

Arising out of PS.Case No. -292 Year- 2013 Thana -BAHERA District- DARBHANGA

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Buchchan Yadav @ Buchchi Yadav, Son of Late Damodar Yadav, resident of Village - Basauli, P.S- Ghanshiampur, District – Darbhanga.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Sameer Ranjan, Advocate.

For the Opposite Party : Mr. Sanjay Kr.Sharma(App)

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 03-11-2015 Heard learned counsel for the petitioner and learned counsel for the State

The petitioner is languishing in custody since 25.06.2015 in connection with Bahera P.S. Case No. 292 of 2013 for the offences instituted under Sections 366(A)/34 and 370 of the IPC.

The prosecution story, in brief, is that the victim girl, namely, Sangeeta Kumari, aged about 14 years, daughter of the informant was kidnapped by the accused Nandan Yadav with the help of two unknown persons for the purpose of sale her.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. The petitioner is in custody since 25.06.2015 and the charge sheet has been submitted in the case. There is no allegation of tampering of the evidence

against the petitioner. As per prosecution case, it is alleged that the co-accused Nandan Yadav had taken the victim for the purpose of marriage. The co-accused Nandan Yadav and others forcibly solemnized the marriage of the victim with this petitioner. Subsequently, the petitioner established physical relationship with the victim. From perusal of Annexure-3 which is medical report it would appear that there is no positive finding in respect to establishing of physical relationship with the victim.

On behalf of the State it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Benipur, Darbhanga, in connection with Bahera P.S. Case No. 292 of 2013.

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(Sudhir Singh, J)