

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.3879 of 2016

Arising Out of PS.Case No. -170 Year- 2015 Thana -SURYAGARHA District- LAKHISARAI

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Chandan Yadav @ Chandan Kumar Son of Yadu Yadav Resident of
Village- Chandanpura, P.S.- Surajgarha District- Lakhisarai.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Binay Kumar, Advocate

For the Opposite Party/s : Mr. Ambika Bhagat(Spl.Pp)

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 17-03-2016 Heard the learned counsel for the petitioner and the
learned A.P.P. representing the State.

The petitioner seeks bail in connection with
Surajgarha P.S. Case No. 170 of 2015 registered for the offences
punishable under Sections 363, 366(A)/34 of the Indian Penal
Code, Section 4/8 of POSCO Act and Section 3(I)(X) of SC/ST
Act.

Allegedly, the petitioner earlier tried to commit rape
with the wife of the informant and thereafter kidnapped Anisha
Kumari, the daughter of the informant. During investigation, the
victim girl was recovered and the petitioner was arrested. The
statement of the victim girl has also been recorded under Section
164 of the Code of Criminal Procedure wherein she has not

supported the allegation of kidnapping rather she has stated that she married with the petitioner out of her own sweet will.

Submission is of false implication and that earlier the informant has not lodged any case and only with a view to give colour to this case, wrong allegation has been leveled against the petitioner as the informant was knowing that his daughter was having love affair with the petitioner resulting the petitioner, without any fault, is suffering in custody since 02.09.2015.

Learned A.P.P. opposes the prayer of bail by submitting that from bare perusal of the First Information Report, the conduct of the petitioner is apparent and the victim girl is minor.

In the facts and circumstances stated above, considering that the victim girl has not stated regarding any sexual harassment against the petitioner, and as such, 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 Additional Sessions Judge-I, Lakhisarai in connection with Surajgarha P.S. Case No. 170 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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