

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11418 of 2016

Arising Out of PS.Case No. -188 Year- 2015 Thana -BIBHUTIPUR District- SAMASTIPUR

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1. Yogendra Yadav S/o Sita Ram Yadav Resident of village- Desari, Police Station- Bibhutipur, District- Samastipur.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Abhimanyu Sharma

For the Opposite Party/s : Mr. Surendra Pd.Singh (App)

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CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

2 15-03-2016 Heard learned counsel for the petitioner as well as learned Additional Public Prosecutor for the State.

Petitioner is in jail custody since 23.10.2015 in a case registered for the offences punishable under Sections 365, 366A/34 of the Indian Penal Code.

The informant happens to be grand father of the victim and lodged the present case on 08.09.2015 i.e. after 26 days of the alleged occurrence. No doubt, petitioner is named in the first information report but no specific overt-act has been attributed against him.

Submission on behalf of the petitioner is that petitioner happens to be full brother of co-accused, Rabindra Yadav with whom victim had sweet relation. It is further

submitted that as a matter of fact, co-accused, Rabindra Yadav was working at Bombay and he used to reside with informant's family whenever he comes to his village and there is every likelihood that victim eloped along with aforesaid co-accused, Rabindra Yadav.

No doubt, victim has not been recovered as yet and the investigation is still going on in respect of other accused but considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Sri Vikash Jha, Judicial Magistrate 1st Class, Rosera at Samastipur in connection with Bibhutipur P.S. Case No. 188 of 2015.

(Hemant Kumar Srivastava, J)

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