

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27280 of 2016

Arising Out of PS.Case No. -3 Year- 2016 Thana -RUDRAPUR District- MADHUBANI

Baidya Nath Kumar Yadav son of Sri Krishndeo Yadav resident of village
Barsam PS Rudrapur Dist. Madhubani

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Hriday Narayan Harshit

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

CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA
ORAL ORDER

03/ 25.07.2016 Heard learned counsel for the petitioner as well as learned
Addl. Public Prosecutor for the State.

Petitioner is in jail custody since 9.1.2016 in a case
registered under sections 366A, 120B of the Indian Penal Code.

Petitioner is named in the first information report with
accusation that he took minor girl of the informant but admittedly, in
course of investigation, victim was recovered and her statement under
section 164 Cr.P.C was recorded.

Although victim stated that she was taken away by the
petitioner but she admitted in her statement that it was father of the
petitioner who dropped her back at her home and after that her
statement was recorded. Furthermore, it would appear from perusal of
annexure 3 that Medical board found the victim aged about 17 years.

Considering the aforesaid facts and circumstances as well as
submissions of the parties and also taking note of this fact that victim

has, nowhere, made complain of her sexual exploitation at the hand of the petitioner, let the petitioner be released on bail on furnishing bail bonds of Rs 10,000/- with two sureties of the like amount each to the satisfaction of Sri M. Mishra, Judicial Magistrate, Ist Class, Jhanjharpur District Madhubani in Rudrapur P.S. Case no. 03/2016.

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(Hemant Kumar Srivastava,J)



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