

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.45843 of 2015

Arising Out of PS.Case No. -118 Year- 2015 Thana -KASBA District- PURNIA

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1. Sadanand Yadav Son of Kusum Lal Yadav Resident of Village - Sofi,
P.S. Kasba, District - Purnea

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajit Ranjan Kumar

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

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA
ORAL ORDER

4 01-03-2016

Heard the learned counsel for the petitioner as well as
the learned A.P.P for the State.

The petitioner seeks bail in a case for the offences
punishable under sections 365, 372 and 376/34 of the I.P.C

Allegedly, the petitioner and the co-accused
kidnapped Manju Devi, the daughter of the informant, with an
intention to either sell her or to commit rape with her. Earlier also
the petitioner has committed rape with her and for that there was
panchayati in the village and the petitioner was penalized.

Submission is of false implication and that earlier no
case was lodged against the petitioner; the petitioner has given Rs.
5,000/- to the informant on credit but the informant did not return
the same as per his promise and to put pressure the informant has
filed this false case after hiding his daughter, the petitioner is aged
about 55 years and has two major sons and one married daughter,

during investigation it has come that the victim girl was having illicit relationship with so many people in the village and earlier also she has fled away with another boy vide paragraphs- 33 and 34 of the case diary, it reveals that the informant has kept his daughter any where and to implicate the petitioner lodged this case resulting the petitioner is suffering in custody since 13.05.2015.

The learned A.P.P. opposes prayer for bail.

In the facts and circumstances as stated above, considering that earlier no case was lodged either by the informant or by the victim and during investigation the witnesses have stated otherwise and as such considering detention of the petitioner, now he is directed to 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 C.J.M. Purnea in Kasba P.S. Case No. 118 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.

Abhay/-

(Jitendra Mohan Sharma, J)

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