

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.36991 of 2016

Arising Out of PS.Case No. -34 Year- 2016 Thana -JADOPUR District- GOPALGANJ

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1. Subash Lal @ Subhash Lal @ Subhash Yadav, Son of Roz Yadav,
Resident of Village- Jadopur, Police Station- Jadopur, District- Gopalganj.
..... Petitioner/s

Versus

1. The State of Bihar Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Raghav Prasad

For the Opposite Party/s : Mr. Sri Uma Shankar Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE CHAKRADHARI
SHARAN SINGH
ORAL ORDER

2 19-09-2016 Heard learned Counsel for the petitioner and
learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail,
arises out of Jadopur Police Station Case No. 34 of 2016,
disclosing offences under Sections 363/366A/34 of the
Indian Penal Code.

Learned Counsel for the petitioner has
submitted, referring to the statement of the victim girl,
under Section 164 of the Code of Criminal Procedure, 1973,
that the story which she has narrated is highly improbable
inasmuch as she has specifically said that no person other
than the petitioner was involved in her abduction. He has
also submitted that there is no allegation of any
misbehaviour or sexual assault against the petitioner, in the
statement of the victim, recorded under Section 164 of the
Code of Criminal Procedure, 1973. He has also submitted

that the narration that the victim was abducted in a motorcycle and subsequently taken to Chennai without any resistance by her, is not, at all, probable.

Considering the facts and circumstances and the submissions advanced on behalf of the petitioner, this application is allowed.

Let the petitioner, Subash Lal @ Subhash Lal @ Subhash Yadav, in the event of his arrest or surrender before the Court below within six weeks, 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 learned Judicial Magistrate, 1st Class, Gopalganj, in connection with Jadopur Police Station Case No. 34 of 2016, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

This is subject to the condition that the petitioner shall present himself before the police/Court, as the case may be, as and when required and in the event of failure on his part to appear before the Court on two consecutive occasions, his bail bond shall be liable to be cancelled.

(Chakradhari Sharan Singh, J.)

Prabhakar Anand/-

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