

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.1966 of 2017

Arising Out of PS.Case No. -140 Year- 2016 Thana -GORIAKOTHI District- SIWAN

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Anil Yadav Son of late Mohan Yadav resident of Village Bandhu Bigha,
P.S. Sakurabad, District Jehanabad. Petitioner

Versus

The State of Bihar Opposite Party

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Appearance :

For the Petitioner/s : Mr. Arun Kumar Lal

For the Opposite Party/s : Mr. Sri Mukesh Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN SHARMA

ORAL ORDER

3 13-02-2017 Heard learned counsel for the petitioner and learned
counsel representing the State.

The petitioner seeks bail in connection with Goriya
Kothi P.S. Case No. 140 of 2016 registered for the offences
punishable under Sections 363 and 366 of the Indian Penal Code.

Allegedly, co-accused Manish Yadav kidnapped the
sister of the informant with aid and assistance of other co-accused
and during investigation it transpires that Manish has kept the
victim girl in the rented room of the petitioner at Patna and the
petitioner was knowing everything.

Submission is of false implication and that love affair
was going on between Manish and the victim girl and the
petitioner has forbidden Manish not to do such act, the petitioner
was not present when Manish stayed at the rented room of the
petitioner which is evident from paragraph 47 of the case diary,



the petitioner is suffering in custody since 15.11.2016, he has got no role in kidnapping of the victim girl and as such he deserves sympathetic consideration.

Learned APP duly assisted by learned counsel for the informant opposes the prayer of bail by submitting that the victim girl is still traceless and the petitioner has got role in kidnapping of the victim girl as he has provided room to the kidnapper Manish at Patna.

In the facts and circumstances stated above, considering the limited role of the petitioner, 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 Chief Judicial Magistrate, Siwan in connection with Goriya Kothi P.S. Case No. 140 of 2016, 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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