

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 29845 of 2017

Arising Out of PS.Case No. -81 Year- 2016 Thana -DHARHARA District- MUNGER

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Dilkhush Kumar son of Kisho Yadav resident of Shreerampur, P.S. Akbar Nagar, District Bhagalpur.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Kamal Kishore Jha, Advocate

For the S t a t e : Mr Surendra Kumar, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

2 06-07-2017

Heard learned counsel for the petitioner and learned

APP for the State.

Petitioner seeks bail in a case registered under Sections 364/34 of Indian Penal Code in which Sections 376G, 302, 120B of IPC was added later on.

The prosecution case lodged by Baby Devi is that her daughter Chanda Kumari was married with the accused Gaurav Yadav in the year, 2016. Her son-in-law had come to her house and took away his wife as also his sister-in-law Vinita. Thereafter, they never returned and on enquiries made, they were not found.

It is submitted by the counsel for the petitioner that he has falsely been implicated in this case as he has not been named in the first information and merely on the basis of



confessional statement of Gaurav Yadav, his name has been dragged in the instant case. He further submitted that other co-accused, similarly named by Gaurav Yadav, have already been granted bail by co-ordinate Benches of this Court in Cr Misc No 2175 of 2017 on 13.02.2017 as also vide order dated 22.06.2017 passed in Cr Misc No 22896 of 2017. He also placed on record the order granting bail to the accused Sunil Yadav who has been named in the FIR. It is further submitted that the petitioner is in custody since 31.01.2017.

Considering the aforesaid facts and circumstances, prayer for bail is allowed. Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate II, Munger in Dharhara Police Station Case No 81A of 2016, GR No 1554 of 2016 subject to the conditions that :

- (i) *One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.*
- (ii) *The petitioner shall cooperate in the investigation and make himself available as and when required by the police and in the event of failure on his part to appear before the police on two consecutive dates*



without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bonds.

(Madhuresh Prasad, J)

M.E.H./-

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