

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42055 of 2017

Arising Out of PS.Case No. -64 Year- 2017 Thana -RAGHUNATHPUR District- SIWAN

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Upendra Yadav Son of Laljee Yadav, Resident of Village-Sani Sonakra,
P.S. Raghunathpur, District Siwan.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar

For the Opposite Party/s : Mr. Sri Ajay Kumar-1

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CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 20-09-2017 Heard learned counsel for the petitioner and learned
APP for the State.

Petitioner is languishing in judicial custody since
13.04.2017 in connection with Raghunathpur P.S. Case No. 64
of 2017 for offences punishable under Sections 363/366A of the
Indian Penal Code.

The prosecution case, as lodged by the informant, is
that his 15 year old daughter Punam Kumari had gone for
natural call in the evening but did not return. The informant
alleged that the petitioner along with his father and mother have
kidnapped his minor daughter for illegal purposes.

It has been submitted by the learned counsel for the



petitioner that he is innocent, bears no criminal history and has been falsely implicated in the aforesaid case due to being on inimical terms with the informant. He submits that the victim girl in her statement under Section 164 Cr.P.C. before the Magistrate has stated that the informant and her family members are torturing her resultantly she ran away from the house. Earlier also they had ill treated her and she had consumed poison. She further stated in her statement under Section 164 Cr.P.C. that the petitioner is not involved in the commission of any offence and she does not know the petitioner. He submits that charge-sheet has already been submitted and there is no allegation of tampering of the prosecution witnesses by the petitioner.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances and the materials on record, let petitioner, above named, be enlarged 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 Additional Chief Judicial Magistrate-VIII, Siwan in connection with Raghunathpur P.S. Case No. 64 of 2017, subject to the condition that one of the bailors would be a close



relative of the petitioner having sufficient immovable property,
who will file an affidavit stating his relationship with the
petitioner.

Devendra/- **(Nilu Agrawal, J)**

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