

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.25381 of 2017

Arising Out of PS.Case No. -1 Year- 2017 Thana -NATWAR District- SASARAM (ROHTAS)

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Nageshwar Yadav @ Nageshwar Yadava, son of Mundrika Yadav @
Mundrika Singh, Resident of Village- Ahrawn, P.S. Natwar, District-
Rohtas at Sasaram.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner : Mr. Jai Prakash Singh, Advocate

For the Opposite Party: APP

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CORAM: HONOURABLE MR. JUSTICE VIKASH JAIN

ORAL ORDER

3 01-07-2017 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody since 10.03.2017 in
connection with Natwar P.S. Case No. 01 of 2017 for the offences
alleged under Sections 366A/34 of the Indian Penal Code.

3. It is submitted that the petitioner has been falsely
implicated as evident from the statement of the so-called victim girl
recorded under Section 164 of the Code of Criminal Procedure in
which she has stated that she voluntarily married Balwant Yadav,
younger brother of the petitioner. No allegation whatsoever has
been made against the petitioner in such statement. The girl in
question claims to be 19 years of age and her age has been assessed
to be 18-19 years old as per the report of the Medical Board dated
17.04.2017. The petitioner claims clean antecedents.

4. Be that as it may, having regard to the entirety of the
facts and circumstances of the case, let the petitioner above named
be released on bail on furnishing bail bond of Rs. 10,000/- (ten
thousand) with two sureties of like amount each to the satisfaction
of Sri Lal Bihari Paswan, learned Judicial Magistrate, 1st Class,



Bikramganj (Rohtas) in connection with Natwar P.S. Case No. 01 of 2017 with the following conditions:

(i) That one of the bailors shall be a close relative of the petitioner.

(ii) That the petitioner shall not indulge in any similar offence till conclusion of the trial.

(iii) That the petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reason, his bail bond shall be liable to be cancelled by the learned Court concerned.

(iv) The petitioner shall cooperate with the investigation, if not already concluded, and make himself available as and when so required and in case of failure, the State shall be at liberty to move for cancellation of bail.

(Vikash Jain, J)

B.T/Chandran

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