

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No 55323 of 2017

Arising Out of PS.Case No. -885 Year- 2017 Thana -SAHARSA District- SAHARSA

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Lalu Kumar Yadav S/o Yogendra Prasad Yadav R/O Mohalla- Kuvar Tola,
Ward No.-18, P.S. & Distt.- Saharsa

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr Bidhan Chandra Jha, Advocate

For the Opposite Party/s : Mr Surendra Kumar, APP

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 13-12-2017

Heard counsel for the petitioner and the State.

The petitioner is accused in Saharsa Police Station
Case No 885 of 2017 dated 29.08.2017 registered for the offence
punishable under Sections 363 and 365 of Indian Penal Code.

Counsel for the petitioner submits that the petitioner
is alleged to be an accomplice to kidnapping of the minor daughter
of the informant. From her statement recorded under Section 164
of Criminal Procedure Code, counsel for the petitioner points out
that it is the statement of the victim that the petitioner had alighted
from the train at some distance and that she was continuing with
other two persons. There is no other specific allegation made
against the petitioner. He was only present for some time in the
train. The petitioner has some criminal antecedents which have



been mentioned in paragraph 3 of the bail application but in all the said cases, he is on bail. He is in custody in this case since 15.09.2017. Petitioner also draws attention of the Court towards order dated 17.11.2017 passed by this Court in *Cr Misc No 54982 of 2017* whereby co-accused Shivam Kumar has been granted bail by this Court.

Having regard to the submissions made on behalf of the petitioner, 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 Chief Judicial Magistrate, Saharsa in Saharsa Police Station Case No 885 of 2017 subject to the following conditions:

(1) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court.

(2) The petitioner will not induce any witness or tamper with the evidence.

(3) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the Court and on the event of failure on his part to appear before the Court below on two consecutive dates without showing any



genuine reasons, the prosecution is free to move for cancellation
of his bail.

(Madhuresh Prasad, J)

M.E.H./-

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