

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35214 of 2017

Arising Out of PS.Case No. -96 Year- 2017 Thana -BIHRA District- SAHARSA

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1. Manish Kumar Yadav @ Shri Manish Kumar Yadav, Son of Shri Deonarayan Yadav, resident of Village Dumma, Police Station Bihra, District- Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Viveka nand Singh, Advocate

For the Opposite Party/s : Mr. Ajay Kumar-1, A.P.P.-6

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CORAM: HONOURABLE MR. JUSTICE ARVIND SRIVASTAVA
ORAL ORDER

3 06-10-2017 Heard learned Counsel for the petitioner and learned Additional Public Prosecutor for the State.

This application, for grant of anticipatory bail, arises out of Bihra Police Station Case No. 96 of 2017, disclosing offences under Sections 341, 323, 363, 365, 504, 506 and 34 of the Indian Penal Code.

Learned counsel for the petitioner has submitted that the petitioner, who is of clean antecedent, is innocent and has not committed any offence. In fact, the petitioner happens to be son-in-law of the informant and he never assaulted the wife of the informant nor kidnapped her rather the petitioner has falsely been implicated in this case. No injury report is available on record to support the allegation of assault. Even the victim in her



statement recorded under Section 164 Cr.P.C. has disclosed a concocted and manipulated story. She has not disclosed that the petitioner has kidnapped her. Hence, the petitioner deserves the privilege of anticipatory bail.

Considering the facts and circumstances of the case, let the petitioner, above named, in the event of his arrest or surrender before the Court below within six weeks, be released 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 Chief Judicial Magistrate, Saharsa, in connection with Bihra Police Station Case No. 96 of 2017, subject to the condition laid down under Section 438 (2) of the Code of Criminal Procedure.

(Arvind Srivastava, J)

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