

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Appeal (SJ) No.2 of 2017

Arising Out of PS.Case No. -43 Year- 2016 Thana -MAHILA PS District- BUXAR

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1. Dhirendra Yadav, Son of Raja Ram Singh, resident of Village- Rasulpur,
P.S.- Rajpur, District- Buxar.

..... Appellant/s

Versus

The State of Bihar. null null

..... Respondent/s

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Appearance :

For the Appellant/s : Mr. Ashok Kumar Mishra
For the Respondent/s : Mr. Sri Sadanand Paswan, Spl.P.P.

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

5 12-10-2017 Heard the parties.

The appellant seeks regular bail in Buxar (Mahila)
P.S. Case No.43 of 2016 registered for the offence under Section
366, 376, 323, 506/34 of the I.P.C. and Section 3(xi) (xii) of the
SC/ST(POA)Act.

Allegation against the appellant is of kidnapping
and making physical relation with the informant.

Submission of the learned counsel for the appellant
is that there is allegation that the victim girl was in the captivity of
the appellant/accused person since 15.5.2016 to 7.7.2016. But the
appellant has stated on oath in supplementary affidavit that she
had appeared in the examination of B.A. (Hons.) Part-I held on
21.6.2016, 24.6.2016 and 27.6.2016,i.e., in between the aforesaid



period and he is in custody for more than two months. Further submission is that she was also a consenting party. She is aged 20 years.

Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, appeal is allowed. Let the appellant, above named, be enlarged on bail on furnishing bail bond of Rs.25,000/- with two sureties of the like amount each to the satisfaction of S.D.J.M., Buxar, in Buxar (Mahila) P.S. Case No.43 of 2016 subject to the conditions that (1) one of the bailors of the appellant shall be a local person having sufficient immovable property within the jurisdiction of the concerned court. (2) The appellant will not induce any witness or tamper with the evidence. (3) The appellant shall co-operate in disposal of trial and make himself available as and when required by the court. In the event of failure on his part to appear before the court below on two consecutive dates without showing any genuine reason, his bail bond shall be cancelled.

(Vinod Kumar Sinha, J)

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