

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.2883 of 2017

Arising Out of PS.Case No. -173 Year- 2016 Thana -CHAUSA District- MADHEPURA

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Babloo Yadav, Son of Bilkhu Yadav @ Bilash Yadav, Resident of Village-
Fulaut Purbi, P.S.- Chausa, District- Madhepura.

.... Petitioner

Versus

The State of Bihar.

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Dr. Ajit Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 06-03-2017 Heard learned counsel for the petitioner.

This is an application for bail in connection with
Chausa (Fulaut) P.S.Case No. 173 of 2016 registered for the
offences punishable under Sections 363, 366A and 120B/34 of the
Indian Penal Code.

It has been submitted on behalf of the petitioner that
from the statement of the victim girl recorded under Section 164
Cr.P.C. it appears that no specific overt act has been alleged
against the petitioner and only allegation against him is that he has
taken the victim girl to Madhya Pradesh and co-accused, Md.
Chhotu Khan, having similar allegation has been granted bail by
this Court in Cr.Misc.No. 4355 of 2017.

Heard learned APP also.

Having heard both sides and considering the statement
of the victim girl recorded under Section 164 Cr.P.C. and there is
no specific allegation against the petitioner and only allegation



against him is that he has taken away the victim girl to Madhya Pradesh and on her request she was sent back to Naugachia and petitioner is in custody for four months, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.25,000/- (Rupees twenty five thousand) with two sureties of the like amount each to the satisfaction of Sri Ashok Kumar II, Judicial Magistrate, 1st Class, Udakishunganj, Madhepura, in connection with Chausa (Fulaut) P.S.Case No. 173 of 2016, subject to the conditions that :-

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

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

(iii) 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 reason, the prosecution is free to move for cancellation of his bail.

(Vinod Kumar Sinha, J)

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