

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.11032 of 2017

Arising Out of PS.Case No. -813 Year- 2016 Thana -SAHARSA District- SAHARSA

=====

1. Kundan Yadav Son of Late Mainu Yadav Resident of Village - Kahra,
Ward No. 6, P.S.- Saharsa, District - Saharsa.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Adv.

Mr. Binod Kumar Sinha, Adv.

For the Informant : Mr. Manish Kumar No.-13, Adv.

Mr. Madhav Jha, Adv.

Mr. Rohit Kumar, Adv.

For the Opposite Party/s : Mr. Smt. Renuka Ratnakar, Addl. P.P.-125

=====

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 21-03-2017 Heard learned counsel for the petitioner and the learned
A.P.P. for the State.

The petitioner seeks bail in Saharsa Sadar P.S. Case No.
813/2016, instituted for the offence under Section(s) 363, 366(A),
34, 376 and 379 of the Indian Penal Code.

It has been submitted on behalf of the petitioner that the
petitioner is father of main accused Rajesh Yadav and there is no any
allegation of overt act against him. As per the written report, the
daughter of the informant was living in Nagpur and later on she
became traceless. The informant learnt that her daughter was
kidnapped by this petitioner along with other co-accused. The victim
on recovery gave her statement under Section 164 Cr.P.C., which has
been annexed with the bail petition as Annexure-4. The victim girl



has stated that Rajesh Yadav used to commit illegal act with her and also assault her. He also got her signature on a plain paper and later on the victim girl found that it was court marriage certificate.

It has been submitted by the learned counsel for the informant that accused Rajesh Yadav is still absconding.

In this manner, in the statement of the victim recorded under Section 164 Cr.P.C. there is specific allegation that this petitioner also forcibly brought the victim girl along with other accused, but as per her age she is a major girl and she stated in her statement that Rajesh Yadav used to commit illegal act with her and court marriage was also performed. The petitioner is father of Rajesh Yadav.

In the facts and circumstances of the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner, above named, 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 the learned Chief Judicial Magistrate, Saharsa in connection with Saharsa Sadar P.S. Case No. 813/2016, subject to the conditions that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J.)

Rakhi

U		T	
---	--	---	--

