

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22955 of 2017

Arising Out of PS.Case No. -47 Year- 2015 Thana -VALMIKINAGAR District-
WESTCHAMPARAN(BETTIAH)

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Yogendra Kushwaha, son of Late Duryodhan Prasad, resident of Village-
Rahuwa Tola Bherihari, Police Station- Valmikinagar, District- West
Champaran.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Zainul Abedin

For the Opposite Party/s : Mr. Sri Abhay Kumar - 1

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 08-06-2017 Heard learned counsel for the petitioner and the State.

Petitioner is apprehending his arrest in a case for the
offences registered under Sections 363, 366A/34 and 120 of the
Indian Penal Code.

Allegation against petitioner is of kidnapping
daughter of the informant for the purpose of marriage.

It has been contended on behalf of the petitioner that
he has got no criminal antecedent. Allegation against the
petitioner is false and fabricated. The occurrence took place on
12.3.2015 but the FIR was lodged on 27.7.2015. As such, there
was delay of four months and fifteen days and no explanation was
given from the side of the prosecution. The court below has also



assessed the victim girl to be major and from the medical report it appears that the doctor has opined the age of the girl to be 19/20 years.

Considering the facts and circumstances of the present case, let petitioner, above named, in the event of arrest or surrender within a period of four weeks from the date of receipt/production of a copy of this order, be enlarged 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 Addl. Chief Judicial Magistrate, Bagaha, West Champaran, in connection with Valmikinagar P.S. Case no. 47 of 2015 arising out of Complaint Case no. C 620 of 2015, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(S. Kumar, J)

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