

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.70319 of 2018

Arising Out of PS. Case No.-56 Year-2018 Thana- IMAMGANJ District- Gaya

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MITHILESH YADAV @ MITHILESH YADAV Son of Ram Parvesh Yadav @
Parvesh Yadav, Resident of Village- Dukhadpur, P.S.- Imamganj, District-
Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Md. Javed Jafar Khan

For the Opposite Party/s : Mr. Sri Narsingh Tanti

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

2 03-12-2018 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail in Imamganj P.S. Case No.
56/2018, instituted under Sections 498A, 323, 363 and 34 of the
Indian Penal Code read with Section 3/4 of D.P. Act.

Learned counsel for the petitioner has submitted that
petitioner is son-in-law of the informant. Petitioner and his wife
are on litigating term. Daughter of informant had earlier filed a
case bearing Imamganj P.S. Case No. 131/2016 on 07.08.2016 for
the offences under Sections 341, 323, 504, 498A/34 of the Indian
Penal Code and Section 3/4 of D.P. Act, in which petitioner was
arrested by the police. He was allowed bail on 16.08.2018.

The instant case has been filed by the father-in-law of
petitioner levelling allegation that he has kidnapped three year old
grandson of informant.



Learned counsel for the petitioner has submitted that due to aforesaid litigation between husband and wife, instant case has been filed against petitioner. Victim has given her statement under Section 164 Cr.P.C., which is annexed as Annexure-3, from which it appears that victim had earlier filed a case under Section 498A of the Indian Penal Code against this petitioner. She has stated that she was tortured in her *Sasural* after marriage.

As such, from the statement of victim it appears that both parties are on litigating term.

Petitioner is in custody since 08.08.2018.

Considering the aforesaid facts and circumstances, 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 Judicial Magistrate 1st Class, Sherghati at Gaya in connection with Imamganj P.S. Case No. 56/2018, subject to the conditions that both the bailors shall be the close relative of the petitioner.

(Sanjay Priya, J)

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