

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.27449 of 2018

Arising Out of PS.Case No. -386 Year- 2017 Thana -NAUTAN District-
WESTCHAMPARAN(BETTIAH)

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1. Krishna Yadav, S/o Chandrika Yadav, resident of Village- Uttar Telhua,
P.S.- Nautan, District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar

For the Opposite Party/s : Mr. Sri Surendra Prasad Singh

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 10-05-2018 Heard the parties.

The petitioner is apprehending his arrest in connection with Nautan P.S.Case no.386 of 2017, registered for offences punishable under Sections 366A/34 of the Indian Penal Code.

Allegation against the petitioner is of kidnapping the minor girl of the petitioner.

Submission of the learned counsel for the petitioner is that the statement of the girl recorded under Section 164 Cr.P.C. completely demolish the prosecution case and on behalf of the petitioner it is stated that father and mother of the girl tried to forcibly marry her with another person, as such she fled away and married with Krishna Yadav (petitioner). The age of the girl was assessed to be 17-19 years, as such she appears to be major.



Heard learned A.P.P. also.

Having heard both sides and in view of the facts and circumstances, as stated above, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, be released on bail on furnishing bail bond of Rs.25,000/- (Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Bettiah, West Champaran in connection with Nautan P.S.Case no.386 of 2017, subject to condition as laid down under Section 438 (2) of the Code of Criminal Procedure.

With following conditions :

- (i) One of the bailors of the petitioner shall be a local person having sufficient immovable property within the jurisdiction of the concerned court.
- (ii) The petitioner will not induce any witness or tamper with the evidence.
- (iii) The petitioner shall co-operate in the investigation of the case and make himself available as and when required by the Police, otherwise, the prosecution is free to move for cancellation of his bail bond.

With the aforesaid direction, this application is allowed.

(Vinod Kumar Sinha, J)

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