

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.51788 of 2017

Arising Out of PS.Case No. -106 Year- 2017 Thana -JALE District- DARBHANGA

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Jitendra Kumar Yadav @ Jitendra Yadav. S/o Sri Ramashray Yadav, R/o
Village- Dhankaul, P.S.- Jalley, District- Darbhanga.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. S.M. Rahman, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

5 29-01-2018

Heard learned counsel for the petitioner and the State.

The petitioner apprehends his arrest in **Jalley P.S.**

Case No. 106 of 2017 instituted for the offence under Sections
363 and 366A of the Indian Penal Code.

The informant alleged that his minor daughter
Pratibha Kumari aged about 16 years, all of sudden got
disappeared from the house. The informant searched his daughter
and learnt on the next day that his daughter was taken by one
Babita Devi to her house. The informant went to the house of
Babita Devi, but he did not receive any satisfactory reply. He
learnt from the villagers that his daughter has been taken away by
this petitioner and other accused persons as named in the written
report by Tempo to Katiya. The informant alleged that they had



taken away his daughter for illegal purpose.

The case diary along with statement of victim girl recorded under Section 164 Cr. P.C. has been received. The victim girl in the statement recorded under Section 164 Cr. P.C. has stated her age to be 18 years and court below has assessed her age as 18 years. The victim girl has not levelled any allegation of specific overt act against this petitioner. From the narration made in the statement recorded under Section 164 Cr. P.C., it appears that victim girl had gone with this petitioner to different places with her consent.

Considering the facts and circumstances of the case, prayer for anticipatory bail of the petitioner is allowed. In the event of surrender/arrest of the petitioner, named above, within six weeks from today, in connection with **Jalley P.S. Case No. 106 of 2017**, he shall be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned **Additional Chief Judicial Magistrate-I, Darbhanga**, subject to the conditions as laid down under Section 438 (2) Cr. P.C. with further conditions (1) bailors should be local having sufficient immovable property within the jurisdiction of the court concerned, (2) petitioner shall cooperate in the trial and shall be present on each and every date



fixed by the court and his absence on two consecutive dates without proper and reasonable reason will be liable to cancel his bail bond and (3) if petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

S.Ali/-

(Sanjay Priya, J)

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