

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.35545 of 2018

Arising Out of PS.Case No. -19 Year- 2018 Thana -BRAHMPUR District- BUXAR

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Rash Bihari Yadav son of Late Jitan Yadav, resident of village - Hemdapur,
P.S. Brahmpur (Chakki), District Buxar.

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bachan Jee Ojha, Advocate

For the Opposite Party/s : Mr. Narsingh Tanti, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR
SINGH

ORAL ORDER

2 29-06-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Brahmpur (Chakki O.P.) P.S. Case No.19 of 2018 registered under
Sections 363, 366A and 120B of the Indian Penal Code.

It is submitted that both the victims have already come
back and their statement has been record under Section 164 of the
Code of Criminal Procedure. The statement of victim Rinku
Kumari would suggest that she was having affair with Jai Kishan
Yadav @ Jai Kishun Yadav son of the petitioner with whom she
eloped and married in a temple. Taking into consideration that it
was a case elopement, Jai Kishan Yadav @ Jai Kishun Yadav has
already been granted bail by a Bench of this Court vide order



dated 14.05.2018 passed in Cr. Misc. No.29773 of 2018. It is further submitted that the petitioner has been roped in the case merely because he happens to be father of Jai Kishan Yadav.

Learned counsel for the State has opposed the prayer for grant of pre-arrest bail to the petitioner.

Considering the statement of the victim Rinku Kumari, as contained in Annexure-2 to the present application, as also the order dated 14.05.2018 passed in Cr. Misc. No.29773 of 2018 by which son of the petitioner, namely, Jai Kishan Yadav @ Jai Kishun Yadav has been granted bail, in the event of arrest or surrender in the court below within six weeks from today, the petitioner is directed to 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 learned Chief Judicial Magistrate, Buxar in connection with Brahmpur (Chakki O.P.) P.S. Case No.19 of 2018 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md.S./-

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