

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.22594 of 2018

Arising Out of PS.Case No. -2111 Year- 2013 Thana -WEST CHAMPARAN COMPLAINT
District- WESTCHAMPARAN(BETTIAH)

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1. Ajay Yadav @ Ajay Prasad Yadav, S/o Late Narsing Yadav, R/o Vill.- Bagahi, P.S.- Bairiya,
2. Kaval Yadav @ Kaval Yadav S/o Late Manshi Yadav, R/o Vill.- Bagahi Ahirani Tola, P.S.- Bairiya, Both under District- West Champaran.

.... Petitioner/s

Versus

1. The State of Bihar.
2. Bheem Kumar Yadav S/o Shankar Yadav, R/o Vill.- Bagahi Ahirani Tola, P.S.- Bairiya, Distt.- W. Champaran.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Amarendra Nath Verma

For the Opposite Party/s : Smt. Reena Sinha

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CORAM: HONOURABLE MR. JUSTICE SHIVAJI PANDEY
ORAL ORDER

3 26-04-2018 Heard learned counsel for the petitioners and learned counsel for the State.

The petitioners seek anticipatory bail in a case instituted for the offences under Sections 366 of the Indian Penal Code.

From the record it appears that First Information Report was lodged by one Bheem Kumar Yadav stating therein that his sister has married to one Santosh Yadav. When on 7.4.2013 his sister has gone to attend the call of nature, he heard the sound of his sister. When he went there he saw Dhurandhar Yadav was taking away his sister on the motorcycle. It appears that the police has submitted the final form whereafter protest-cum-complaint petition was filed vide Complaint Case No.2111C of



2013 and stated different story altogether in the First Information Report. It appears that the statement made under Section 164 of the Code of Criminal Procedure is completely at variance with the statement made in the complaint petition, inasmuch as it also appears that the victim has entered into marriage with Dhurandar Yadav and in support he has brought on record certain documents and affidavit.

Looking to the facts and circumstances of the case, in the event of arrest or surrender within four weeks from today, let petitioners, namely, Ajay Yadav alias Ajay Prasad Yadav and Kaval Yadav alias Kawal Yadav, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the Chief Judicial Magistrate, Bettiah, Waest Champaran in connection with Complaint Case No.2111C of 2013 (Trial No.3092 of 2017), subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Shivaji Pandey, J)

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