

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.62571 of 2017

Arising Out of PS.Case No. -207 Year- 2015 Thana -PHULPARAS District- MADHUBANI

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1. Dilip Yadav, S/o Kapleshwar Yadav, resident of Village- Phulkahi, P.S.-
Phulparas, District- Madhubani.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Jitendra Kumar Bharti, Advocate

For the Opposite Party/s : Mr. Madan Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 11-01-2018

Heard the parties.

The petitioner seeks regular bail in S.T. No. 244 of 2017, arising out of Phulparas P.S. Case No. 207 of 2015 registered for the offence under Sections 363, 366(A), 456 and 380/34 of the I.P.C.

Allegation against the petitioner and other co-accused is of kidnapping minor daughter of the informant.

Submission of the learned counsel for the petitioner is that the F.I.R. and the statement made under Section 164Cr.P.C. is contrary in nature as the F.I.R. shows that she was kidnapped from the house whereas different fact is narrated in the statement of the victim under Section 164 Cr.P.C. and another co-accused Deo Kumar Sah @ Dev Kumar Sahu @ Dev Kumar has already been granted bail by this Court vide order dated 12.07.2017 passed in Cr. Misc. No. 26919 of 2017. It is further submitted that there is no allegation of sexual intercourse. He is in custody for nine months.

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, be enlarged 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 1st Additional Sessions Judge, Madhubani in Sessions Trial No. 244 of 2017 arising out of Phulparas P.S. Case No. 207 of 2015, subject to the conditions that (1) one of the bailors must be local person having sufficient immovable property within the jurisdiction of the concerned court. (2) The petitioner will not induce any witness or tamper with the evidence. (3) The petitioner shall co-operate in the disposal of trial and make himself available as and when required by the court and in the event of failure to appear before the court below on two consecutive dates without showing any genuine reasons, the prosecution is free to move for cancellation of his bail bond.

(Vinod Kumar Sinha, J)

AnilKrSinha/-

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