

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.28305 of 2018

Arising Out of PS.Case No. -431 Year- 2017 Thana -KADAMKUAN District- PATNA

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VICKY YADAV @ VICKY @ SHAKTI KUMAR YADAV @ SHAKTI
KUMAR MADHAV S/o Deo Narayan Yadav, R/o Vill.- Manikpur, P.S.-
Fulkahai, District- Araria.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Anil Kumar Sinha

For the Opposite Party/s : Mr. Nagendra Prasad

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**CORAM: HONOURABLE MR. JUSTICE JITENDRA MOHAN
SHARMA**
ORAL ORDER

3 18-05-2018 Heard the learned counsel for the petitioner as
well as the learned A.P.P. for the State.

In this application the petitioner seeks bail in
connection with Kadam Kuan P.S. Case No. 431 of 2017 for the
offence punishable under section 366 (A) of the Indian Penal
Code.

Allegedly, the minor niece of the informant went
away from the house in the night and during course of search a
letter was found wherein she states that she is going along with
Vicky for marriage.

Submission is of false implication and that the
statement of the victim girl has been recorded under section 164 of
the Cr.P.C. wherein she has stated that she went away out of her
own sweet will, as per Adhar Card the date of birth of the victim is



30.09.1999 and she is major but due to mistake she has stated her age 14 years in her statement recorded under section 164 of the Cr.P.C, the petitioner is in custody since 04.12.2017, investigation is complete and there is no chance of tampering with the prosecution evidence.

The learned A.P.P. submits that the victim is minor.

In the facts and circumstances stated above, considering the statement of the victim girl and further considering detention of the petitioner, now the petitioner above named, 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 C.J.M. Patna in connection with the aforementioned case, subject to the conditions that one of the bailors must be a near relative and another having sufficient immovable property within the territorial jurisdiction of the court concerned and the petitioner shall remain present on each and every date during trial and the default on two consecutive dates on his part without any reason shall disentitle the petitioner from privilege of bail.

(Jitendra Mohan Sharma, J)

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