

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.75533 of 2018

Arising Out of PS. Case No.-11 Year-2017 Thana- KATORIYA District- Banka

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Dinesh Yadav Son of Gulabi Yadav Resident of Village-Asnatari,P.S.
Katoriya,Distt.-Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ranjan Kumar Jha

For the Opposite Party/s : Mr. Sri Anand Kishore Choudhary

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

2 17-12-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in
connection with Katoriya P.S. Case No. 11 of 2017 registered
for the offence punishable under Section 367 of the Indian Penal
Code.

Informant has alleged in her written complaint that
her marriage was solemnized with petitioner five years before
and she used to reside at her Maika along with her child. On
28.01.2017, cousin brother in law Dilip Yadav came at her
Myaka thereafter petitioner Dinesh Yadav took her at her
matrimonial house. Her cousin brother in law called some
unknown at the house, where she was called by petitioner.
Thereafter, petitioner, told that his sister is serious and asked her



to accompany him for going to Sasural of his sister. Thereafter, she proceeded along with petitioner. In the way, one Auto rickshaw came in which Baldeo Yadav and Quayum Miyan and five others were present, which was driven by Dinesh Yadav. Thereafter, Quayum Miyan spread powder on her and she became unconscious and when regained consciousness she found herself in the train, where five unknown persons were present. She anyhow moved towards toilet on the pretext to attend call of nature and informed her mother on mobile. When she returned then her mobile was snatched. She was taken to Lucknow and on raising alarm, she was informed that she has been sold. However, she was left at her Maika on 03.02.2017 and instituted this case on 04.02.2017.

It has been submitted on behalf of the petitioner that petitioner is the husband of the informant and he has been falsely implicated in this case only on suspicion. Petitioner has no criminal antecedent and he is in custody since 10.01.2018.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned



Additional Sessions Judge, 2nd, Banka, in connection with
Katoriya P.S. Case No. 11 of 2017subject to the conditions that:-

(1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.

(2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(3) If the 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. Kumar, J)

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