

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.53509 of 2018

Arising Out of PS. Case No.-5 Year-2018 Thana- KHAGARIA District- Khagaria

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1. Saheb Yadav, S/o Rajo Yadav,
 2. Manoj Yadav @ Manoj Kumar Yadav, S/o Bhikho Yadav, Both
R/o Vill.- Durgapur, P.S.- Muffasil, Distt.- Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shekhar Kumar Singh

For the Opposite Party/s : Mr. Sri Zainul Abedin

CORAM: HONOURABLE MR. JUSTICE SANJAY KUMAR
ORAL ORDER

4 17-12-2018 Heard learned counsel for the petitioners and learned
Additional Public Prosecutor for the State.

The petitioners apprehend arrest in connection with
Khagaria Police Station Case No. 5 of 2018 registered for offence
punishable under sections 366(A)/34 of the Indian Penal Code.

As per FIR, which was lodged after eight days of offence,
these petitioners and one Manoj Kumar kidnapped the daughter of
informant for the purpose of marriage. During the pendency of this
anticipatory bail petition, co-accused Manoj Kumar was arrested and
his anticipatory bail petition has been dismissed as not pressed. The
victim in her statement recorded under Section 164 Cr.P.C. before the
Magistrate, has stated that she had love affairs with said Manoj
Kumar and she voluntarily left her place and married with him. As
per submission of the learned counsel for the petitioners, the victim is



residing at the place of her husband Manoj Kumar. These petitioners happen to be cousin brother of said Manoj Kumar having no specific allegation. The victim has disclosed her age as 19 years and the learned Magistrate has assessed her age as 18 years.

Considering the nature of allegation, facts and circumstances of the case, the prayer for anticipatory bail of the petitioner is allowed and they, in the event of arrest or surrender before the court below within six weeks from today, are directed to be enlarged on anticipatory bail on furnishing bail bonds of Rs.10,000/- each with two sureties of the like amount each to the satisfaction of Chief Judicial Magistrate, Khagaria in connection with Khagaria Police Station Case No. 5 of 2018, subject to the conditions as laid down under section 438 Cr. PC and also subject to the condition that one of the bailors of the petitioners shall be a local person having sufficient immovable property within the jurisdiction of the concerned Court The petitioners will not induce any witness or tamper with the evidence. The petitioners shall cooperate in the disposal of trial and make themselves available as and when required by the court.

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(Sanjay Kumar, J)

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