

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.57490 of 2018

Arising Out of PS.Case No. -71 Year- 2018 Thana -BAHERI District- DARBHANGA

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Rishu Kumar Yadav @ Rishi Kumar Yadav, son of Ramakant Yadav,
Resident of Village- Hanuman Nagar, Baskatti, Haridih, P.S.- Baheri,
District- Darbhanga (Bihar).

.... Petitioner/s

Versus

The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Vinay Kumar Mishra, Advocate

For the State : Mr. Rajesh Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE ASHWANI KUMAR SINGH
ORAL ORDER

2 28-09-2018 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks pre-arrest bail in connection with
Baheri P.S. Case No.71 of 2008 registered under Sections 363 and
366-A/34 of the Indian Penal Code.

It is submitted by the learned counsel for the
petitioner that the victim went out of her own sweet will with the
petitioner to Delhi and after staying for 3-4 days, she came back
and her statement has already been recorded under Section 164 of
the Code of Criminal Procedure wherein she has not made any
allegation that she was abducted for the purpose of marriage or
forced or seduced to illicit intercourse with another person. He



contended that the instant case has been registered only on account of wild suspicion. The petitioner has got roots in the society having no criminal antecedent and is not likely to abscond or tamper with the evidence.

Learned counsel for the State has opposed the prayer for grant of pre-arrest bail to the petitioner.

Considering the submissions made above, in the event of arrest or surrender in the court below within six weeks from today, the petitioner 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 learned Additional Chief Judicial Magistrate-IX, Darbhanga in connection with Baheri P.S. Case No.71 of 2018, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(Ashwani Kumar Singh, J)

Md.S./-

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