

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.68153 of 2018

Arising Out of PS. Case No.-180 Year-2017 Thana- KHAGARIA District- Khagaria

Mala Devi W/o Uday Yadav Resident of Village- Choti Ranisakarpura, P.S.
Gangaur, Distt. Khagaria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Indrajit Kumar

For the Opposite Party/s : Mr. Pramod Kumar Pandey

CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER

2 18-12-2018 Heard learned counsels for the parties.

The petitioner is apprehending arrest in a case registered for the offences punishable under Sections 366/34 of the IPC.

The prosecution case as per the written report of Nago Sharma dated 16.3.2017 submitted to the SHO, Gangaur is to the effect that on 27.2.2017 at about 10 A.M. the daughter of the informant, namely, Kanchan Devi left for her matrimonial house but on enquiry being made at 4 P.M. from his son-in-law, he came to know that the daughter of the informant could not reach her in-law's house. Thereafter, search was made, in course of which the informant came to know that the FIR named accused persons including the petitioner abducted the daughter of the informant for the purpose of marriage.

It is submitted by learned counsel for the petitioner that



the thrust of accusation is against Azad Yadav who is alleged to have established physical relationship with the informant's daughter after kidnapping her. The said Azad Yadav has been acquitted in S.C. No. 1 of 2018 by the learned Ist Additional Sessions Judge, Khagaria since the victim Kanchan Devi deposed during trial that she on her own went to the house of Azad Yadav and performed marriage with him.

Considering the thrust of accusation against co-accused Azad Yadav who has been acquitted, let the petitioner above named be released on anticipatory bail in the event of arrest or surrender within 12 weeks on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned CJM, Khagaria in connection with Khagaria P.S. Case No. 180 of 2017 subject to the conditions laid down in Section 438(2) of the Cr.P.C.

(Dinesh Kumar Singh, J)

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