

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13525 of 2019

Arising Out of PS. Case No.-69 Year-2018 Thana- SHAMBHUGANJ District- Banka *

=====

ASMRITI YADAV @ SMRITI KUMAR, aged about 39 years, (M) Son of
Brahmdeo Yadav Resident of Village- Bharatshila, P.S.- Shambhuganj,
District- Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Balram Kapri
For the Opposite Party/s : Mr.Yogendra Kumar

=====

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 06-03-2019 Heard learned counsel for the parties.

Let the Defect(s) as pointed out by the office be
ignored for the present.

Petitioner seeks bail in **Shambhuganj P.S. Case No.**
69 of 2018 registered for the offence punishable under Sections
366 (A) and 34 of the Indian Penal Code.

Informant who is the mother of victim girl has alleged
in her written complaint that petitioner along with FIR named
accused person abducted her daughter for the purpose of
marriage.

It has been submitted on behalf of the petitioner that he



is innocent and has been falsely implicated in this case due to village politics. There is false and concocted allegation against petitioner. It is submitted that the occurrence is of 18.02.2018 whereas FIR has been instituted on 12.04.2018 and there is no explanation for instituting the FIR after delay of 55 days. Petitioner is brother of co-accused against whom allegation is of enticing away daughter of informant. Nothing specific has been alleged against petitioner. Petitioner has got no criminal antecedent and is in custody since 12.09.2018.

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/- with two sureties of the like amount each to the satisfaction of learned **Chief Judicial Magistrate, Banka**, in connection with **Shambhuganj P.S. Case No. 69 of 2018**, with following conditions:-

(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 shall remain physically present as directed by the



Court and his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the court below.

(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)

manoj/-

U		T	
---	--	---	--

