

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.10613 of 2019

Arising Out of PS. Case No.-108 Year-2018 Thana- PIPRAHI District- Sheohar

Shivnath Kumar Yadav S/o Dewendra Rai @ Devendra Ray Resident of
Village- Abhirajpur Bairiya, P.S.- Piprahi, District- Sheohar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar

For the Opposite Party/s : Mr.Dr. Indiwari Kumari

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 22-02-2019 Heard the learned counsel for the petitioner and the
learned counsel for the State.

The petitioner seeks regular bail in connection
with Piprahi PS case no. 108 of 2018 registered for the offence
punishable under Sections 241, 366A/34 of Indian Penal Code.

The allegation is regarding the petitioner and
other co-accused persons having kidnapped the victim girl,
however she was sent back to home by the said accused persons.

The learned counsel for the petitioner, referring
to the statement made by the victim girl under Section 164
Cr.P.C. before the Magistrate, has submitted that there is no
allegation of the petitioner having established any sexual
relationship with the victim girl or having raped her. It is further
submitted that the said statement of the victim girl would show



that she was also the consenting party. Lastly, it is submitted that the petitioner is in custody since 11.01.2019.

Having regard to the facts and circumstances of the case, I deem it fit and proper to enlarge the petitioner on regular bail.

Accordingly, the abovenamed petitioner is directed to be enlarged on regular bail on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned J.M. 1st class, Sheohar in connection with Piprahi PS case no. 108 of 2018.

(Mohit Kumar Shah, J)

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