

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12814 of 2019

Arising Out of PS. Case No.-111 Year-2018 Thana- CHENARI District- Rohtas

Tatu Yadav @ Baljeet Kumar @ Tutu Yadav, aged about 30 Years, Male, Son of Rajendra Yadav, Resident of Village- Kushudi, P.S.- Harigaon, District- Rohtas.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Dhaneshwar Prasad Gupta, Advocate.
For the Opposite Party : Mr. C. Jawahar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 01-03-2019 Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner is apprehending his arrest in a case for the offence registered under Sections 366(A)/34 of the IPC.

The prosecution story, in brief, is that on 02.02.2018, Sunil Yadav alias Fekan Yadav has kidnapped the informant's minor sister, namely, Chaniya Kumari, 16 years old, with intention to perform marriage with her and this fact came to the knowledge of the informant during course of searching. It is further alleged that before the occurrence, Sunil Yadav always used to visit the informant's village due to relation with Arun Yadav. Thereafter, informant asked the brother of Sunil Yadav, namely, Tatu Yadav to return back his sister Chaniya Kumari but



they were taken away his sister and refused to return her. The informant has claimed that the F.I.R. named accused persons kidnapped his sister with intention to perform marriage.

It has been submitted by learned counsel for the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The alleged occurrence is said to have taken place on 02.02.2018 as to when F.I.R. was instituted on 18.05.2018. Delay of three months has not been explained by the prosecution. A *panchayati* was also held but the victim girl refused to stay with the informant and she left with co-accused Sunil Yadav @ Fekan Yadav. The petitioner has been made accused as he happens to be the own brother of co-accused Sunil Yadav.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, in the event of arrest or surrender before the learned court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the



like amount each to the satisfaction of the learned A.C.J.M., -II,
Sasaram, Rohtas, in connection with Chenari P.S. Case No. 111
of 2018, subject to the conditions as laid down under Section
438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

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