

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15750 of 2019**

Arising Out of PS. Case No.-263 Year-2018 Thana- ROHTAS District- Rohtas

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Balram Yadav, Son of Shiv Yadav @ Shiv Narayan Singh, Resident of
Village- Baknaura, P.S.- Rohtas, District- Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajesh Kumar Singh

For the Opposite Party/s : Mr.Shyam Bihari Singh

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**CORAM: HONOURABLE MR. JUSTICE DINESH KUMAR SINGH
ORAL ORDER**

2 14-03-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner is languishing in custody since
13.12.2018 in a case registered for the offences punishable
under Sections 366A/34 of the Indian Penal Code.

The prosecution case as per the written report of
Lalmohan Prasad submitted to the Station House Officer of
Rohtas Police Station is to the effect that on 23.09.2018 the
daughter of the informant, Nikky Kumar, aged about 14 years,
went to see the fair of Muharram but she did not return then on
search being made, the informant came to know that co-accused
Vikash Chauhan and the petitioner, Balram Yadav have
kidnapped the daughter of the informant.

It is submitted by learned counsel for the petitioner



that the victim in her statement recorded under Section 164 Cr.P.C. that she was not kidnapped rather she went to her maternal uncle's house on her own. A statement has been made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent.

Learned APP submits that the accusation is specific in the FIR and the victim was minor.

Considering the fact that the investigation has already been concluded and the victim has not supported the accusation of kidnapping, coupled with the statement made in paragraph 3 of the petition that the petitioner is not having any criminal antecedent, let the above named petitioner 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 Judicial Magistrate, Ist Class -cum- Additional Munsif, Dehri, Rohtas in connection with Rohtas P.S. Case 263 of 2018.

(Dinesh Kumar Singh, J)

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