

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15845 of 2019

Arising Out of PS. Case No.-162 Year-2018 Thana- PURAINI District- Madhepura

SANJAY YADAV Son of Bhaday Yadav Resident of village-Murlichandwa,
P.S.-Udakishunganj, District-Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Pawan Kumar

For the Opposite Party/s : Mr.Kumar Ranjit Ranjan

CORAM: HONOURABLE JUSTICE SMT. NILU AGRAWAL
ORAL ORDER

2 25-03-2019 Heard learned counsel for the petitioner and the
learned counsel appearing on behalf of the State.

Petitioner is languishing in judicial custody since
16.12.2018 in connection with Puraini P.S. Case No. 162 of
2018 for offences punishable under Sections 363, 366A, 34 of
the Indian Penal Code.

The prosecution case as lodged by the informant is
that his daughter Parvati Kumari aged 16 years went with the
petitioner to school for filling her matriculation form but did not
return. It is alleged that the petitioner had taken his daughter for
some illegal purpose.

It has been submitted by the learned counsel for the
petitioner that he is innocent, bears no criminal antecedent and
has been falsely implicated in the aforesaid case. He submits



that the petitioner is a relative of the informant's family and the victim girl in her statement under Section 164 of the Cr.P.C. has not alleged that the petitioner has committed any overt act against her. It is further submitted that the victim is a minor as assessed by the Magistrate and the Medical Board and charge-sheet has already been submitted, there being no allegation of tampering with the prosecution witnesses.

However, learned APP for the State opposes the prayer for bail.

Considering the facts and circumstances of the case and materials on record as well as the nature of allegations, let the petitioner above named be enlarged on bail on furnishing bail bond of Rs. 10,000 (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned Judicial Magistrate, 1st Class, Uda-Kishunganj, District-Madhepura in connection with Puraini P.S. Case No. 162 of 2018, subject to the conditions:-

(1) One of the bailors would be close relative of the petitioner having sufficient immovable properties, who will file an affidavit stating his relationship with the petitioner.

(2) The petitioner will appear before the learned Court below during trial as and when required and failure to appear on



two consecutive dates without assigning any reason will entail
cancellation of his bail bonds.

(Nilu Agrawal, J)

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