

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76547 of 2018

Arising Out of PS. Case No.-129 Year-2018 Thana- KASIMBAZAR District- Munger

Pandav Yadav, Son of Gulab Yadav, Resident of Village-Heru Diyara, P.S.-
Kasim Bazar, District-Munger.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Manoj Kumar Jha, Advocate.
For the informant	:	Mr. Arun Kumar Mandal, Advocate
		Mr. Arvind Kumar Singh, Advocate.
For the Opposite Party/s :		Mr. Ramchandra Sahani, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA
ORAL ORDER

4 06-03-2019 Heard learned counsel for the petitioner, counsel for
the informant and the State.

The petitioner seeks bail in **Kasim Bazar P.S. Case**
No. 129 of 2018, instituted for the offence under Section(s)
364/34 of the Indian Penal Code.

It is alleged in the written report that while the informant had gone to Kolkata for settlement of bank loan, his nephew Sanjeet Yadav informed that his daughter Raj Lakshmi has been kidnapped. The nephew of the informant has also informed that during search Pinku Yadav informed that while he had gone for call of nature in the mid-night at about 2:00 a.m., he saw the petitioner along with other accused persons going on two Motorcycles.



Counsel for the petitioner submits that during investigation, the Police has not recorded the statement of aforesaid Pinku Yadav and Sanjeev. He further submits that police recorded the statement of three witnesses who are all accused in a case lodged by co-accused Anmol Yadav vide Muffasil P.S. Case No. 92 of 2015 against the informant and others for kidnapping the nephew of co-accused Anmol Yadav namely, Gautam Kumar, and later on he was killed.

Supplementary affidavit has been filed on behalf of the petitioner. Let it be kept on the record. It is mentioned in paragraph-2 and 3 of the supplementary affidavit that mother of victim girl has filed petition on affidavit in the court below stating therein that her daughter was in love with co-accused Suraj Kumar. They voluntarily solemnized marriage. They both are leading their conjugal life in *Gujarat*. She is pregnant also. The aforesaid petition has been enclosed as Annexure-6 to the supplementary affidavit.

Counsel for the informant has appeared and opposed the prayer for bail. He submits that wife is living separate from her husband. The victim girl is still traceless.

Petitioner is in custody since 27.6.2018.

Considering the aforesaid facts and circumstances of



the case, prayer of the petitioner for grant of bail is allowed. Let the petitioner above named, 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 Chief Judicial Magistrate, Munger**, in connection with **Kasim Bazar P.S. Case No. 129 of 2018**, subject to the condition that both the bailors will be the close relatives of the petitioner.

(Sanjay Priya, J)

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