

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.78105 of 2018

Arising Out of PS. Case No.-219 Year-2017 Thana- JAGDISHPUR District- Bhojpur

Chhotu Yadav @ Rajesh Kumar @ Rajesh Yadav S/o Sri Raghu Nath Yadav,
R/o Vill.- Bimawa, P.S.- Jagdishpur, District- Bhojpur.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surj Bansh Roy, Adv.

For the Opposite Party/s : Mr.Sri Shyam Bihari Singh (APP)

CORAM: HONOURABLE MR. JUSTICE S. KUMAR

ORAL ORDER

4 25-01-2019 Heard learned counsel for petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Jagdishpur P.S. Case No. 219 of 2017 registered for the offences punishable under Sections 376, 349 of the Indian Penal Code.

Informant who is maternal grand father of the victim has alleged in his written complaint that his grand-daughter (Natini) Kiran Devi came to his village on 26.07.2017 and she started living at his home. On 31.07.2017 she went to market to purchase stings, but she did not return home. On 02.08.2017 a call from mobile no. 7352210500 came that if you will lodge FIR then all of you will be killed. It has been further alleged that since then the girl was traceless. Petitioner was



also found absent from his house and informant claimed that petitioner kidnapped his grand daughter.

It has been submitted on behalf of the petitioner that he is innocent and has committed no offence. He has been falsely implicated in this case due to local politics. Victim is major.

During investigation it was found that victim had herself gone with petitioner and in supervision made by High Police Officials allegations made were found to be false. Charge sheet has already been submitted. Petitioner has no criminal antecedent and is in custody since 23.08.2017.

Considering the aforesaid fact and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 6th Additional Sessions Judge, Bhojpur at Ara, in connection with Sessions Trial No. 209 of 2018, arising out of Jagdishpur P.S. Case No. 219 of 2017, subject to conditions:

- (1) Bailors should be local having sufficient immovable property within the jurisdiction of the court concerned.
- (2) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by Court and his absence on two consecutive dates without sufficient reasons, his bail bond shall be cancelled by the court below.



(3) If the petitioner tampers with the evidence or the witnesses of the case, in that case, prosecution will be at liberty to move for cancellation of bail of the petitioner.

(S. Kumar, J)

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