

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.44968 of 2019**

Arising Out of PS. Case No.-213 Year-2017 Thana- MANIGACHI District- Darbhanga

BHOLA YADAV Son of Shyam Sunder Yadav Resident of Village- Bidhipur  
(Ganj), P.S.- Manigachhi, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

with

**CRIMINAL MISCELLANEOUS No. 30681 of 2019**

Arising Out of PS. Case No.-213 Year-2017 Thana- MANIGACHI District- Darbhanga

1. KAPIL KUMAR @ KAPIL KUMAR YADAV @ KAPIL YADAV Son of Sibu Yadav Resident of Village-Bidhipur (Ganj), P.S.-Manigachhi, District-Darbhangha.
2. Nitesh Kumar Yadav Son of Laxmi Yadav Resident of Village-Bidhipur (Ganj), P.S.-Manigachhi, District-Darbhangha.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

**Appearance :**

(In CRIMINAL MISCELLANEOUS No. 44968 of 2019)

For the Petitioner/s : Mr.Vinay Kumar Mishra

For the Opposite Party/s : Mr.Pramod Kumar Pandey

(In CRIMINAL MISCELLANEOUS No. 30681 of 2019)

For the Petitioner/s : Mr.Vinay Kumar Mishra

For the Opposite Party/s : Mr.Ajit Kumar

**CORAM: HONOURABLE MR. JUSTICE SANJAY PRIYA**  
**ORAL ORDER**

3      25-07-2019                      Heard learned counsel for the petitioners and the  
  
State.

The petitioners seek bail in **Manigacchi P.S. Case**  
**No. 213 of 2017**, instituted for the offence under Section(s) 363,  
366(A) and 120(B)/34 of Indian Penal Code.



It is alleged in the written report that daughter of the informant aged about 16 years was sitting in her shop on 15.10.2017 at 8:00 p.m. She all of sudden got disappeared. During search, the informant learnt that petitioner along with other co-accused has kidnapped his daughter for the purpose of marriage and for committing illegal act with her.

Counsel for the petitioners submits that statement of victim girl recorded under Section 164 Cr. P.C. is available in the case diary wherein she has not levelled any allegation of committing illegal act against the petitioners. She has stated that while she was sitting in her shop, one person enquired about her father and got her seated in the Marshal vehicle. She found four persons sitting in the vehicle. Out of them, she identified Bhola Yadav (petitioner of Cr.Misc. 44968 of 2019) and Nitesh Kumar (petitioner No. 2 of Cr. Misc.30681 of 2019). They all had kept her in a room for ten days.

Counsel for the petitioners further submits that compromise has already taken place between the parties, copy of which, has been enclosed as Annexure-3. Co-accused Guran Yadav has already been granted bail by coordinate Bench of this Court vide order dated 19.7.2018 passed in Cr. Misc. 42606 of 2018.



Petitioners are in custody since 2.5.2019 and 5.3.2019 respectively having clean antecedent.

Considering the aforesaid facts and circumstances of the case, prayer of the petitioners for grant of bail is allowed. Let the petitioners above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten thousand) each with two sureties of the like amount each to the satisfaction of learned **Additional Chief Judicial Magistrate-VI, Darbhanga**, in connection with **Manigacchi P.S. Case No. 213 of 2017**, subject to the condition that both the bailors will be close relatives of the petitioners.

**(Sanjay Priya, J)**

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