

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63178 of 2019

Arising Out of PS. Case No.-114 Year-2019 Thana- SAUR BAZAR District- Saharsa

DILKHUS YADAV @ DILKHUSH KUMAR, aged about 25 years (Male),
Son of Khudur Yadav, Resident of Village- Jarsain, P.S. and District- Saharsa.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Birendra Kumar Singh, Advocate.
For the Opposite Party : Mr.Chandra Sen Prasad Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 22-10-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 366/34 of the IPC.

The prosecution story, in brief, is that on 16.02.2018
the daughter of the informant namely, Anjali Kumari went to the
house of Nitu Kumari on her call. When she did not return the
informant enquired from Nitu Kumari, she told that his daughter
went with Dilkhus Yadav. Then he enquired from the father of
Dilkhus Yadav, then he told that he has no knowledge about it.

It has been submitted by learned counsel for the
petitioner that the petitioner is languishing in custody since
06.07.2019. The petitioner has got no criminal antecedent. The
petitioner has falsely been implicated in the present case.



Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The date of occurrence is said to be 16.12.2018 as to when the case was instituted on 30.03.2019. The victim was recovered on the very next day. No allegation of physical and sexual abuse is alleged by the victim. An affidavit has been filed by the victim in the learned court below vide Annexure-2 to the present application stating that she will be returning money back to the petitioner. The said affidavit is dated 01.02.2018.

On behalf of the State, it is submitted that the petitioner is named in the F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned C.J.M., Saharsa, in connection with Bazar (Bajjnathpur) P.S. Case No. 114 of 2019.

(Sudhir Singh, J)

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