

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75065 of 2019

Arising Out of PS. Case No.-89 Year-2019 Thana- NAUHATTA District- Saharsa

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SANJAY KUMAR YADAV @ SANJAY YADAV S/o Lakshman Yadav @
Lakshman Prasad Yadav R/o village- Situhar, P.S. and District- Supaul

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Patta Kumari, Adv.

For the Opposite Party/s : Mr. Arun Kumar Singh

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CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

2 25-11-2019 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner, who is in custody, seeks bail in connection with Nauhatta P.S. Case No. 89 of 2019 registered for the offence punishable under Sections 363, 366(a)/34 of the Indian Penal Code and 8/12 of POCSO Act.

Informant has alleged in his written complaint that his daughter Dinki Kumari aged about 16 years on 01.09.2019 in the day had gone out but she did not return and on search being made by him, he was informed that Sanjay Yadav (petitioner), Prabhu Yadav and Shambhu Yadav on two motorcycles forcibly took away his daughter.

It has been submitted on behalf of petitioner that the statement of the victim girl has been recorded under Section 164



of Cr.P.C. in which she has admitted that on 01.09.2019 she went away with Sanjay Kumar (petitioner) on her own sweet will and volition and she has not been kidnapped by anyone and both of them have solemnized marriage also. The court has assessed the age of the victim girl as 19 years. Petitioner has no criminal antecedent and he is in custody since 13.09.2019.

Considering the aforesaid facts 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 court below, in connection with Nauhatta P.S. Case No. 89 of 2019 subject to the conditions that:-

(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 his absence on two consecutive dates without proper and sufficient reason the trial court will be at liberty to cancel his bail bond.

(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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