

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2317 of 2020

Arising Out of PS. Case No.-194 Year-2018 Thana- AKBARPUR District- Nawada

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BRAHAMDEO YADAV Son of Late Ramautar Yadav Resident of Village -
Jasauli, P.S.- Akbarpur in the district of Nawada.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.Anand Mohan Prasad Mehta

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CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

2 20-01-2020 Heard the learned counsel for the petitioner and the

learned APP for the State.

The petitioner seeks regular bail in connection with
Akbarpur P.S. Case No. 194 of 2018, registered for the
offence punishable under Sections 366A/34 of the Indian
Penal Code.

The allegation is regarding the accused persons
having kidnapped the victim girl.

The learned counsel for the petitioner has submitted that
the petitioner is innocent and he has been falsely implicated
in the present case. The learned counsel for the petitioner has
referred to the statement of the victim girl made under
Section 164 Cr.P.C. before the learned Magistrate wherein



she has stated that the son of the petitioner, namely, Dharmendra Kumar had taken the victim girl with him and she wants to live with the said co-accused person, namely, Dharmendra Kumar. It is further submitted that the petitioner is having a clean antecedent and he is languishing in custody since 27.11.2019.

Per contra, the learned counsel for the informant has vehemently opposed the prayer for bail and has submitted that the victim girl is minor, hence, even if the victim girl has fled away with the co-accused person, namely, Dharmendra with consent, the same would not make any difference.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner, coupled with the fact that the victim girl has not taken the name of the petitioner to be her kidnapper, I deem it fit and proper to direct for release of the petitioner on regular bail.

Accordingly, the above named petitioner is directed to be enlarged on bail on furnishing bail bonds of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-1, Nawada in connection with Akbarpur P.S. Case No. 194 of



2018.

(Mohit Kumar Shah, J)

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