

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11027 of 2020

Arising Out of PS. Case No.-41 Year-2019 Thana- KISHUNPUR District- Supaul

SHYAM KUMAR @ SHYAM YADAV @ SHYAM KUMAR YADAV Son of
Rajo Yadav @ Rajendra Yadav Resident of Village - Gangsayer, P.S.-
Pratapganj, District - Supaul

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arun, Advocate

For the Opposite Party/s : Mr.Nityanand, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 16-06-2020 This matter is taken up for consideration through

Video Conferencing under the orders of Hon'ble the Chief

Justice.

Heard learned counsel for the petitioner and learned
A.P.P for the State.

The petitioner apprehends his arrest in **Kishanpur**
P.S. Case No. 41 of 2019, registered for the offence punishable
under Section 366A/34 of the Indian Penal Code.

Prosecution case in brief is that daughter of the
informant aged about 14 years had gone to attend marriage
ceremony which was being held in the neighborhood, but she
did not return till 11.00 in the night. Thereafter, informant along
with others went to search her daughter, during search, some of



the people informed him that all the accused persons named in the FIR and some unknown, kidnapped her girl.

It is submitted that petitioner has falsely been implicated in this case. There is delay of seven days in lodging the FIR, for which no plausible explanation has been given. From the statement of victim girl recorded under Section 164 Cr.P.C, it appears that co-accused Suresh Yadav took her to Delhi and solemnized marriage with her. In fact, there is love affair between the victim girl and the co-accused Suresh Yadav. There is no specific allegation against this petitioner. The victim is major. The petitioner has got no criminal antecedent.

It appears that there is love affair between the victim girl and the co-accused Suresh Yadav and out of her sweet will, she left her house and went along with Suresh Yadav and solemnized marriage with him.

Considering the facts aforesaid, the petitioner above-named in the event of his arrest/surrender before the court below within a period of six weeks from the date of receipt/production of a copy of this order, is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned **Chief Judicial Magistrate, Supaul** in connection with



Kishanpur P.S. Case No. 41 of 2019, subject to the conditions
as laid down under Section 438(2) of the Code of Criminal
Procedure.

(Prabhat Kumar Singh, J)

vinita/-

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