

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20584 of 2020

Arising Out of PS. Case No.-251 Year-2019 Thana- TEKARI District- Gaya

SUDHIR KUMAR Son of Doman @ Doman Yadav @ Radhe Shyam Yadav
Resident of Village - Naughara Par, P.S.- Tekari (Mau O.P.), District - Gaya
(Bihar) Petitioner

Versus

The State of Bihar Opposite Party

Appearance :

For the Petitioner/s : Mr.Dr. Kumar Uday Pratap

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 18-09-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of Virtual Court proceeding.

The matter has been listed under the heading 'For
Orders' under the orders of Hon'ble the Chief Justice.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the Office, within a period
of four weeks from the date of restoration of normalcy.

Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner seeks bail in a case instituted for the
offences under Sections 366C/34 of the Indian Penal Code.

The prosecution case in short is that the accused
persons forcibly abducted the minor daughter of the informant.

It has been submitted on behalf of the petitioner that
the petitioner is in custody since 21.10.2019 and has got no



criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. Charge-sheet has been submitted in the present case. The petitioner has falsely been implicated in the present case. From perusal of the medical examination report of the victim, it is evident that no spermatozoa was found. The doctor has further opined that there is no recent sign of sexual intercourse and the age of the victim is assessed to be between 18-19 years. The medical examination report of the victim does not support the allegation made in the F.I.R.

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

Considering the aforesaid facts and circumstances, it is directed that 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 learned A.C.J.M. -VI, Gaya in connection with Tekari (mau O.P.) P.S. Case No. 251/2019.

(Sudhir Singh, J)

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