

IN THE HIGH COURT OF JUDICATURE AT PATNA

Criminal Miscellaneous No. 22395 of 2020

Arising out of PS Case No.-55 Year-2019 Thana-Shambhuganj District-Banka

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Monu Kumar Yadav, aged about 19 years, Son of Vidyabhusan Yadav @
Vidyabhushan, R/o Village-Kamatpur, P.S.-Shambhuganj, District-Banka.

.....Petitioner/s

Versus

The State of Bihar

.....Opposite Party/s

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Appearance:

For the Petitioner/s : Md. Najmul Hoda, Adv.

For the State : Mr. Zainul Abedin, APP

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CORAM : HONOURABLE MR. JUSTICE ASHUTOSH KUMAR

ORAL ORDER

02/- 26.08.2020

Heard Md. Najmul Hoda, learned Advocate for the
petitioner and Mr. Zainul Abedin, learned APP for the State.

The petitioner seeks bail in anticipation of his arrest in
connection with Shambhuganj P.S. Case No. 55 of 2019, dated



28.03.2019, instituted for the offences under Section 366(a) of the Indian Penal Code and Section 12 of the Prevention of Children for Sexual Offences Act, 2012.

The seventeen years old minor daughter of the informant is said to have been kidnapped by one Chandan Kumar and the petitioner with the intention of committing rape on her and killing her also.

It has been submitted on behalf of the petitioner that an absolutely false case has been instituted. The victim girl has given her statement under Section 164 Cr.P.C. stating that she is a major and she, of her own accord, had solemnized marriage with Chandan Kumar, a co-accused person of this case, and, thereafter, they fled away. She has also filed a petition before the Court below that she should be permitted to join the matrimonial life with aforesaid Chandan Kumar as she is a major. Aforesaid Chandan Kumar is stated to have been granted bail by the Court below.

Considering the facts afore-stated, the petitioner above-named, in the event of his arrest/surrender before the Court



below within a period of eight weeks from today, is directed to be released on bail on his furnishing bail-bond in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-I, Banka in connection with Shambhuganj P.S. Case No. 55 of 2019, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

The application stands allowed.

(Ashutosh Kumar, J.)

Praveen-II/-

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