

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28173 of 2020

Arising Out of PS. Case No.-375 Year-2019 Thana- BISFI District- Madhubani

Lal Yadav @ Lal Bahadur Yadav, aged about 47 years, Male, Son of Late Jiwachh Yadav, Resident of Village Darima, P.S. Keoti, District Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Lilawati Singh

For the Opposite Party/s : Mr.A.G.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 03-12-2020 Heard learned counsel for the petitioner and Mr. Uma Shankar Prasad Singh, the learned Additional P.P. through video conferencing.

Petitioner apprehends his arrest in Bisfi P.S. Case No.375 of 2019, registered under Sections 363, 366(A) and 34 of the Indian Penal Code.

The informant alleged that his daughter went to see her field on 12.12.2019, but till evening she did not return. During the course of search, the informant came to know that Santosh Yadav with the help of Lal Yadav and Phul Kumari Devi kidnapped his daughter.

Learned counsel for the petitioner submits that the daughter of the informant is a major girl. She was having love affair with Santosh Yadav. She made her statement under



Section 164 Cr.P.C. and disclosed that she was having love affair with Santosh Yadav. She went along with Santosh Yadav and solemnized marriage and thereafter Santosh Yadav left her in *Chaur*. The victim did not name the petitioner. The victim disclosed her age to be 18 years.

Taking into consideration the facts that the victim herself in her statement recorded under Section 164 Cr.P.C. did not support the allegation of her kidnapping and did not name the petitioner, she disclosed that she went along with Santosh Yadav and solemnized marriage, let petitioner, above named, in the event of his arrest or surrender before the court below within a period of six weeks from the date of receipt of the order, 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 ACJM, 1st, Benipatti, Madhubani in connection with Bisfi P.S. Case No.375 of 2019, subject to the conditions laid down under Section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Jha, J)

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