

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28520 of 2020

Arising Out of PS. Case No.-109 Year-2019 Thana- JADOPUR District- Gopalganj

RAJESH YADAV Son of Lallan Yadav Resident of Village - Khidra, P.S.-
Barharia, Dist.- Siwan. Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Akhilesh Kumar

For the Opposite Party/s : Mr. Md. Sufiyan

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

2 11-11-2020 Heard learned Counsel for the petitioner and learned

Additional Public Prosecutor representing the State, through

Video Conferencing.

The petitioner seeks regular bail in connection with

Jadipur Police Station Case No. 109 of 2019, registered for the

offences punishable under Sections 363/366-A/494 of the Indian

Penal Code.

The allegation, as per the First Information Report, is

that the petitioner abducted the minor daughter of the informant.

Learned Counsel for the petitioner submits that the

petitioner has not committed any offence in the manner alleged

and the statement of the victim girl has been recorded under

Section 164 of the Code of Criminal Procedure, and in her

statement, the victim girl has disclosed her age as 19 years and

she has further stated that she had gone along with the petitioner

out of her own free will and has also performed marriage with



the petitioner. He further submits that the medical examination of the victim girl was conducted and the doctor has assessed the age of victim girl between 17 and 18 years. He further submits that the victim girl is in the custody of her parents. He next submits that the petitioner is in custody since 13.03.2020.

After having heard learned Counsel for the parties and taking into consideration the materials on record and the fact that in her statement under Section 164 of the Code of Criminal Procedure, the victim girl has stated that she had gone with the petitioner out of her own free will, I am inclined to grant bail to the petitioner.

This application is, accordingly, allowed.

Let the petitioner, above named, be released on bail, upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Gopalganj, in connection with Jadopur Police Station Case No. 109 of 2019.

It is further made clear that at the time of furnishing bail bonds, all the parties shall follow the guidelines regarding social distancing.

Prabhakar Anand/-

(Anil Kumar Sinha, J.)

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