

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57066 of 2019

Arising Out of PS. Case No.-453 Year-2017 Thana- NARPATGANJ District- Araria

SHALIGRAM YADAV S/o Babujee Yadav Resident of Village- Khera
Koshikapur, P.S.- Narpatganj, District- Araria.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha
For the Opposite Party/s : Mr.Pancha Nand Pandit

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

5 24-01-2020 Heard learned counsel for the petitioner and learned
counsel for the State.

Petitioner apprehends his arrest in a case registered
under Sections 366(a), 370, 370(a), 371, 373, 120(B), 323,
504/34 of the Indian Penal Code.

Initially a complaint case was filed in the court of
Chief Judicial Magistrate, Araria, who referred the same to the
police for registration of FIR under Section 156(3) of Cr.P.C.
Complainant alleged that she alongwith her child were forcibly
taken away to Delhi by accused Md. Alam, Shaligram and
Santosh Yadav and when her husband went to Delhi he was
forced to sign and put thumb impression on some blank papers
and she came to know that her child Sonu Kumar has been sold
to Shrawan Kumar. The complainant and her husband reached



the house of Shrawan Kumar and they started living there as labourers. After 2-3 months on pretext of Mundan the complainant managed to take her child back to her village but on 14.07.2017 all accused persons forcibly took the child from her and went to Delhi.

It has been submitted on behalf of petitioner that he is innocent and has committed no offence and allegations as made in complaint are false and concocted. Shrawan Kumar and his wife is issue less and they wanted to adopt a child and complainant and her husband agreed for it and gave her child to him in adoption but subsequently they changed their mind and wanted the child back from Shrawan Kumar which was given through accused Shaligram Yadav (petitioner). During investigation police has also found the case of kidnapping not to be true and the dispute was with respect to child of complainant given in adoption. It has been further submitted that on notice, opposite party No. 2 has appeared and has accepted that the complainant has got her child back.

Petitioner undertakes that he will not make any further attempt to take the child back from the custody of his parents.

Considering the facts and circumstances of the case,



prayer of anticipatory bail is allowed and petitioner named above in the event of arrest or surrender before the court below within four weeks from today, is directed to be released on bail on furnishing bail bond of Rs. 20,000/- (Rupees twenty thousand) with two sureties of the like amount each to the satisfaction of learned court below, in connection with Narpatganj P.S. Case No. 453 of 2017, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure.

(S. Kumar, J)

veena/-

U		T	
---	--	---	--

