

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79675 of 2019

Arising Out of PS. Case No.-395 Year-2018 Thana- NARPATGANJ District- Araria

RAUSHAN KUMAR YADAV, aged about 20 years (Male), Son of Subodh Yadav, Resident of Village Khaira, P.S. Narpatganj, District - Araria.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ajay Kumar Thakur and Mr. Pravin Kumar,
Advocates.

For the Opposite Party : Mr.Ansar Ul Haque, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 27-05-2020 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.

Heard learned counsel for the petitioner and learned A.P.P. for the State.

The petitioner seeks bail in a case registered for the offences under Section 366(A) of the I.P.C.

The prosecution case, in short, is that on 28.06.2018 at about 8.00 P.M., when the daughter of the informant, aged about 16 years, had gone to attend the call of nature and when she did not return, the informant started searching her but she could not be traced out. The informant had apprehension that



some unknown person enticed away her minor daughter on false allurements for the purpose of marriage.

Earlier bail application of the petitioner was rejected vide Cr. Misc. No. 24496 of 2019 under order dated 22.05.2019 by the then Co-ordinate Bench of this Court with an observation 'at this stage', annexed as Annexure-1 to the present application.

In pursuance to the aforesaid observation, the present application has been filed.

It has been submitted on behalf of the petitioner that the petitioner is in custody since 29.01.2019 and has got no criminal antecedent. Charge sheet has been submitted in this case. There is no allegation of tampering with the witnesses alleged against the petitioner. The victim has been examined by the Medical Officer. The report of the Medical Officer is Annexure-5 to the present application. The doctor did not find any physical or sexual abuse made upon the victim.

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

Considering the facts and circumstances of the case and also the lockdown, the petitioner, above named, is directed to be released on bail on his personal bond to the satisfaction of learned Sessions Judge, Araria in connection with Sessions Trial



No. 143 of 2019, arising out of Narpatganj P.S. Case No. 395 of 2018.

Once the normalcy is restored, the petitioner shall furnish bail bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each within a period of four weeks to the satisfaction of the court concerned in connection with the aforesaid case.

(Sudhir Singh, J)

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