

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80063 of 2019

Arising Out of PS. Case No.-239 Year-2018 Thana- SHAMBHUGANJ District- Banka

HARI KISHORE YADAV, aged 52 years (Male), Son of Raja Yadav @ Raja Pd. Yadav, Resident of Village- Bharatshila, Police Station- Shambhuganj, District- Banka.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : Mr.Ajay Mukherjee, Advocate.

For the Opposite Party : Mr.Harendra Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 16-03-2020 Heard learned counsel for the petitioner and learned counsel for the State.

The petitioner seeks bail in a case for the offence registered under Section 366(A)/34 of the IPC.

The prosecution story, in brief, is that on 01.10.2018, the informant's sister, namely, Bigyani Kumari went to *Bahiyar* to cut the grass but she did not return till the evening about 5.00 P.M. Thereafter, she went to Bahiyar to search her sister but her sister was not found there, then she returned her home at about 6.00 P.M. and saw her villagers, namely, Hari Kishore (petitioner) and Vishal Yadav took her sister by pressing the mouth of Bigyani Kumari in the Scorpio vehicle of Raju Laheri and thereafter another villagers, namely, Hemanti Devi, Priya



Devi, Riya Devi, Anil Yadav, Sunil Yadav and Ravindra Yadav also sat into the said vehicle. While the informant ran towards the Scorpio, co-accused Raju Laheri started the vehicle and fled away. Thereafter, the informant narrated the incident to her parents on telephone. The informant further alleged that all the said accused persons kidnapped her sister with intention to perform marriage.

It has been submitted by learned counsel for the petitioner that the petitioner is languishing in custody since 27.04.2019. The petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. The informant wanted to get her sister married to the son of the petitioner. The same was not accepted by the petitioner and his family members. Hence, the present case has been instituted.

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

Considering the aforesaid facts and circumstances, let the petitioner above named, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of



the like amount each to the satisfaction of the learned Chief
Judicial Magistrate, Banka in connection with Shambhuganj P.S.
Case No. 239 of 2018.

(Sudhir Singh, J)

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