

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28869 of 2021**

Arising Out of PS. Case No.-62 Year-2019 Thana- MAHILA P.S BAGHA District- West
Champaran

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MANOJ YADAV Son of Late Baban Yadav Resident of Village - Ward no.15,
Shastrinagar, P.S.- Bagaha, Dist.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Lokesh Kumar Singh
For the Opposite Party/s : Mr. Parmeshwar Mehta

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

3 27-09-2021 Heard learned counsel for the petitioner and the State.

Petitioner seeks regular bail in a case registered for
the offence punishable under Section 366A/34 of the Indian
Penal Code.

As per the prosecution case, this petitioner along with
other accused persons kidnapped the minor daughter of
informant for the purpose of marriage.

Learned counsel appearing for the petitioner submits
that petitioner is innocent and has falsely been implicated in the
case. It is submitted that there was love affairs between the
victim and this petitioner and they solemnized marriage and are
living together. They are also blessed with a girl child. It is
further submitted that the occurrence has taken place on



14.11.2019, the victim has been recovered on 18.11.2019 but the present case has been lodged on 22.11.2019 without any explanation. It is submitted that after the present case the informant filed Bagaha Mahila PS case No. 01/2020 u/s 366A/34 of the IPC against the petitioner and others in which the police after investigation submitted final form finding the case mistake of facts. Petitioner is in custody since 27.11.2020 and investigation in this case is complete.

Learned counsel appearing for the State opposes the prayer for bail.

Considering the facts of the case and the period of custody of the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Chief Judicial Magistrate-I, Bagaha in connection with Bagaha Mahila PS case No. 62/2019 on the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/ her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.



(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(Prabhat Kumar Singh, J)

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