

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27093 of 2020

Arising Out of PS. Case No.-59 Year-2019 Thana- JAIPUR District- Banka

Mukesh Kumar Yadav, aged about 18 years, Male, S/o Gokhul Yadav,
Resident of Village-Kalyanpur, P.S.-Bandhuwakurawa, District-Banka.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Brij Nandad Prasad, Advocate

For the State : Mr.Shailendra Kumar No.2, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

3 04-01-2021 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in connection with Jaipur P.S. Case No. 59 of 2019 registered for the offences punishable under Sections 366(A), 34 of the Indian Penal Code.

The case of the prosecution in brief is that on 30.08.2019 at about 05:00 am, the daughter of the informant namely Asha Kumari aged about 13 years was going to take tuition and she could not return to her house till evening. That the informant then tried to search to her daughter and in that process, he came to know that one Mukesh Kumar Yadav had kidnapped her daughter Asha Kumari with intention of marry with her in which Gokul Yadav, Kausalya Devi, Pramod Yadav and Pinku Yadav had also contributed.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the



present case. It is further stated that there is no eye witness of this occurrence and there is no criminal history against this petitioner. It is further stated that there is love affair between the petitioner and victim girl and both have solemnized marriage and they are leading conjugal life. It is further stated that while recording the statement under Section 164 of the Cr.P.C., the victim girl has admitted that she has married with this petitioner from her own sweet will.

Learned A.P.P. for the State has opposed the prayer for bail.

In the facts and circumstances of the case, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (twenty five thousand) with two sureties of the like amount each to the satisfaction of ACJM 1st, Banka in connection with Jaipur P.S. Case No. 59 of 2019, subject to the condition as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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