

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28097 of 2020

Arising Out of PS. Case No.-55 Year-2019 Thana- SHAMBHUGANJ District- Banka

1. Vipin Yadav, Age-48, Male, Son of Suresh Yadav, Resident of Village - Kamatpur, P.S.- Sabhugunj and District - Banka
2. Suman Yadav, Age-20, Male, Son of Vipin Yadav, Resident of Village - Kamatpur, P.S.- Sabhugunj and District - Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhananjay Kumar Pandey, Advocate
For the State : Mr. Md. Aslam Ansari, APP

CORAM: HONOURABLE MR. JUSTICE AHSANUDDIN AMANULLAH
ORAL JUDGMENT

Date : 29-01-2021

Heard Mr. Dhananjay Kumar Pandey, learned counsel for the petitioners and Mr. Md. Aslam Ansari, learned Additional Public Prosecutor (hereinafter referred to as the 'APP') for the State.

2. The petitioners apprehend arrest in connection with Banka Shanbhugunj PS Case No. 55 of 2019 dated 28.03.2019, instituted under Sections 363/366A of the Indian Penal Code and 12 of the Protection of Children from Sexual Offences Act, 2012

3. The allegation against the petitioners along with others is of abducting the minor daughter of the informant.

4. Learned counsel for the petitioners submitted that



they have been falsely implicated as co-accused Chandan Kumar, who is the son of petitioner no. 1 and brother of petitioner no. 2, has married the daughter of the informant and she has given her statement before the Court under Section 164 of the Code of Criminal Procedure, 1973 (hereinafter referred to as the 'Code') that she, on her own desire, had gone with Chandan Kumar and married him. Learned counsel submitted that the petitioners have no criminal antecedent and have no role in the entire matter. Learned counsel submitted that after marriage a male child has also been born to Chandan Kumar and the girl.

5. Learned APP submitted that the allegation is of abducting the minor daughter of the informant.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest or surrender before the Court below within six weeks from today, the petitioners be released on bail upon furnishing bail bonds of Rs. 25,000/- (twenty five thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge 1st, Banka in Shanbhugunj PS Case No. 55 of 2019, subject to the conditions laid down in Section 438(2) of the Code.



7. The application stands disposed off in the
aforementioned terms.

(Ahsanuddin Amanullah, J)

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