

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.715 of 2021

Arising Out of PS. Case No.-350 Year-2020 Thana- RANIGANJ District- Araria

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Santosh Yadav Alias Santosh Kumar Son Of Mahakant Yadav Resident Of
Village-Bagulaha, Police Station-Raniganj, District-Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh, Adv.

For the Opposite Party/s : Mr. Nand Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 05-07-2021

Heard learned counsel for the petitioner and learned

A.P.P. for the State through video conferencing.

The petitioner has filed the instant application for grant of regular bail in connection with Raniganj P.S. Case No. 350 of 2020 registered under sections 363, 366A and 34 of the Indian Penal Code.

As per allegation in the F.I.R., it is stated by the informant that his minor daughter who had gone to the coaching centre was not to be found inspite of search. In course of search, it transpired that the petitioner had taken her away for the purpose of marriage.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the F.I.R. are false and



incorrect. The daughter of the informant is a major and her statement was recorded under section 164 Cr.P.C. wherein she has categorically stated that as her parents wanted to marry her elsewhere, and she was in love with the petitioner, she went with him and married him out of her own volition.

It is submitted by learned counsel for the petitioner that from the contents of the supplementary affidavit and the documents annexed with the same, it would transpire that the so called first wife of the petitioner had abandoned him and is already married to a stranger. The petitioner is in custody since 14.9.2020.

The application for bail is opposed by learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case including the petitioner being in custody since 14.9.2020 and the contents of the statement of the daughter of the informant under section 164 Cr.P.C., the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with Raniganj P.S. Case No. 350 of 2020 on furnishing bail bond of Rs.10,000/ (Rupees Ten



Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-VI, Araria.

(Partha Sarthy, J)

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