

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.7228 of 2021**

Arising Out of PS. Case No.-432 Year-2019 Thana- NAANPUR District- Sitamarhi

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MANISH YADAV SON OF RAMADHAR RAI R/O VILLAGE - NAYA
TOL, P.S. - NANPUR, DISTRICT - SITAMARHI

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER

2 29-04-2021 Learned Counsel for the petitioner undertakes to

remove all the defects pointed out by the Stamp Reporter within

four weeks after start of normal functioning of the Court.

Heard learned counsel for the petitioner and learned

APP for the State.

The petitioner in the present case is seeking regular

bail in connection with Nanpur P.S. Case No. 432/2019

registered for the offences punishable under Sections 363 and

366A/34 of the Indian Penal Code.

The prosecution story in brief is that one Shanti Devi

submitted a written report on 16.11.2019 stating therein that her

daughter left her house saying that she is going to Kharka High

School for filling form of matric but she did not return till

evening. The informant further alleged that she received a



telephonic call from her daughter who was in fear and on being asked she told that she is in Muzaffarpur and switched off her phone. It is further alleged that on the next day, the informant got information that her daughter was in the house of Manish Yadav (petitioner) and his son namely Vikram Kumar was seen going towards Harinagar. It is further alleged that when the informant went to the house of Manish Yadav (petitioner) and inquired about her daughter, the accused persons abused and threatened her.

Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in the present case. Learned counsel submits that it is a case of love affair between the daughter of the informant and the son of the petitioner. He submits that the petitioner being the father of the boy has no role to play in the elopement of the daughter of the informant. It is submitted that the petitioner has remained in jail in connection with the present case since 23.09.2020.

Learned APP for the State has opposed the prayer for regular bail of the petitioner.

Having regard to the facts and circumstances of the case wherein it is the submission of learned counsel for the petitioner that as per the allegations the daughter of the



informant had eloped with the son of this petitioner, she has been found aged between 19-20 years and as per her own statement the informant was in regular touch with her daughter since 16.11.2019 but the present FIR has been lodged on 23.11.2019, so far as the present petitioner is concerned, he being father of the boy the only allegation against him is that when the informant went to the house of this petitioner, the petitioner did not behave properly with the informant, submission being that it seems to be a case of love affair between the two adults and there is no direct allegation against this petitioner of either conniving in the matter of elopement of the daughter of the informant or in any other way being instrumental in the said relationship, the petitioner has already remained in jail in connection with the present case since 23.09.2020, investigation against him is complete, this Court directs release of the petitioner above named on bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five Thousand Only) with two sureties of the like amount each to the satisfaction of learned S.D.J.M., Pupri, Sitamarhi, in connection with Nanpur P.S. Case No. 432/2019, subject to the conditions as laid down under Section 437(3) Cr.P.C. as under:

(a) That such person shall attend in accordance with



the conditions of the bond executed under this Chapter,

(b) That such person shall not commit an offence similar to the offence of which he is accused, or suspected, of the commission of which is suspected, and

(c) that such persons shall not directly or indirectly make and inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the Court or to any police officer or tamper with the evidence.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

The application stands allowed.

(Rajeev Ranjan Prasad, J)

arvind/rajeev

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'

