

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25084 of 2021

Arising Out of PS. Case No.-506 Year-2018 Thana- NAUTAN District- West Champaran

SHAMBHU YADAV @ RAMBABU YADAV S/o Bikram Yadav R/o village-
South Telhua Kata Tola, P.S.- Nautan, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sachida Nand Rai, Advocate

For the Opposite Party/s : Ms. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 17-01-2022 Heard learned counsel for the parties through video conferencing.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 363, 365 366A and 34 of the Indian Penal Code.

As per the prosecution case, it is stated by the informant that her minor daughter was taken by Manju Devi with the assurance that she would return in 2-3 days. On the daughter of the informant not returning, it is stated that on her making inquiry she was informed by the said Manju Devi that the informant's daughter had gone to her son-in-law's place to look after the daughter of Manju Devi. On once again the informant going and making inquiry the accused persons told the informant that her daughter had been kidnapped and would



not be returned.

It is submitted by learned counsel for the petitioner that the petitioner has been falsely implicated in the case. The name of the petitioner transpired when as per the narration in the FIR the daughter of the informant had been sent by the aforesaid Manju Devi to her son-in-law's place ie the petitioner herein. It is submitted that the daughter of the petitioner returned and her statement was recorded under section 164 Cr.P.C.. In the said statement she describes herself to be aged about 20 years. She further states that it was under a wrong impression that the case was registered against Manju Devi and in fact she had gone along with one Ranjit Tiwari out of her own free will and married him. The petitioner is in custody since 6.9.2019 and chargesheet has been submitted in the case.

Heard learned APP for the State.

The statement of the daughter of the informant recorded under section 164 Cr.P.C. was called for and the same has been received.

Having heard learned counsel for the parties and taking into consideration the facts of the case together with the material on record specially the contents of the statement of the daughter of the informant under section 164 Cr.P.C. and the



petitioner having remained in custody for over 2 years, the petitioner is directed to be enlarged on bail in connection with Nautan P.S. Case no. 506 of 2018 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 Chief Judicial Magistrate, Bettiah, West Champaran.

(Partha Sarthy, J)

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