

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18498 of 2022

Arising Out of PS. Case No.-66 Year-2022 Thana- RAFIGANJ District- Aurangabad

Deepak Yadav @ Deepak Kumar Son Of Butan Yadav @ Rabindra Yadav
R/O Village- Manjkhar, P.S.- Rafiganj, District- Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kedar Yadav, Advocate.

For the Opposite Party/s : Mr. Md. Nazir Ansari, APP.

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

4 02-08-2022 Let the defect, if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Rafiganj P.S. Case No. 66 of 2022 lodged under Section 366(A)
of Indian Penal Code.

Learned counsel for the petitioner submits that there is
allegation of kidnapping in the F.I.R. but the victim herself
stated in statement under Section 164 of Cr.P.C. that she has
gone to the house of her friend in Patna to attend the marriage
party and she stayed there for 4 days and nobody has done
anything to her and she went to Patna without informing to
anybody in her house. She also deposed that Deepak Yadav, the

petitioner is resident of her village and he has done nothing with her. By the statement made before the Magistrate it transpires that she herself visited outside her native place to attend marriage of her friend.

Learned counsel for the petitioner submits that petitioner is in custody since 20.02.2022, charge sheet has already been filed and petitioner having clean antecedent.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.25,000/- (Rupees Twenty Five thousand) with two sureties of the like amount each to the satisfaction of learned ADJ-VI-CUM-Special Exclusive Judge (POCSO), Aurangabad (Bihar) in connection with Rafiganj P.S. Case No. 66 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall resulted into cancellation of his

bail bond.

B. One of the bailor shall be close relative who shall file affidavit before the court about his relation with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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