

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34074 of 2022

Arising Out of PS. Case No.-67 Year-2020 Thana- RAJNAGAR District- Madhubani

Chhitan Yadav S/o Jagdev Yadav R/o village- Gaurakshani Mohalla
Mangrauni South, Ward No. 11, P.S.- Rajnagar, Distt.- Madhubani

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shailendra Kumar Jha, Advocate.

For the Opposite Party/s : Mr.Aditya Narayan Singh.1, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 08-09-2022 The learned counsel for the petitioner is directed to

remove all the defects pointed out by the Stamp Reporter within

one month.

Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks regular bail in connection with
Rajnagar P.S Case No 67 of 2020 registered for the offence
punishable under Section 366(A)/34 of the Indian Penal Code.

Allegedly, informant's minor daughter aged about 14
years was kidnapped by co-accused Vikram Kumar Yadav and
petitioner is alleged to have helped the said Vikram Kumar
Yadav in kidnapping the victim.

The main submissions advanced by Mr. Shailendra
Kumar Jha, learned counsel for the petitioner are that there is no



specific allegation against the petitioner and the victim has been recovered and she said nothing against this petitioner in her statement recorded before the Judicial Magistrate and the petitioner has been languishing in Jail since 15.02.2022 and co-accused Ajay Kumar Yadav who is also carrying similar nature of allegation has been granted bail by the Co-ordinate bench of this Court vide order passed in Cr. Miscellaneous no. 34942 of 2021.

Mr. Aditya Narayan Singh, learned APP for the State has opposed the bail.

In view of above submissions and mainly considering the facts that so called victim has been recovered and as per the FIR the main allegation is against co-accused Vikram Kumar Yadav and similarly situated co-accused person Ajay Kumar Yadav has been granted bail vide order passed in above mentioned Cr. Misc. petition and petitioner has clean antecedent, in the opinion of this Court a lenient approach can be taken in respect of petitioner's prayer, let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Rajnagar P.S. Case no. 67 of 2020 on the following conditions:-



(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court below and shall remain physically present as directed by the Court below and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case the prosecution will be at liberty to move for cancellation of bail.

(3) One of the bailers shall be a close relative of the petitioner who has sworn affidavit in this miscellaneous petition.

(4) The Court below will verify the criminal antecedent of the petitioner but acceptance of bail bond will not be delayed on account of process of verification of the said criminal antecedent. If any criminal antecedent of the petitioner is found then the Court below shall take serious action against him for cancellation of his bail bond.

(Shailendra Singh, J)

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