

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35565 of 2022

Arising Out of PS. Case No.-38 Year-2022 Thana- SAUR BAZAR District- Saharsa

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DULAR YADAV SON OF LATE JAGDEO YADAV R/O VILLAGE-
CHANDAU EAST WARD NO.-07, P.S.- SOUR BAZAR, DISTRICT-
SAHARSA

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Chandra Mohan Jha, Adv.

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 28-09-2022 Heard the parties.

Learned counsel for the petitioner undertakes to remove
the defects within four weeks.

The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 363, 365, 323, 504, 506, 34 IPC.

Allegedly, the son of informant was kidnapped, assaulted
and confined in a room by the petitioner and other F.I.R. named
accused persons for the purpose of marriage of petitioner's
daughter with the informant's son.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case due to grudge. No such
occurrence, in the manner as alleged, has ever taken place. The
allegation leveled against the petitioner is not specific rather



general and omnibus in nature. Petitioner has no criminal antecedent. It is submitted that son of the informant was in love affair with the daughter of petitioner and without the consent of his father (informant), he solemnized marriage with the daughter of informant. The occurrence took place on 10.12.2021 but the complaint was filed on 20.12.2021 i.e. after a delay of 10 days and absence of any plausible explanation regarding the delay creates serious doubt about prosecution case.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the delay in lodging the F.I.R., let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Sour Bazar P.S. Case No.38 of 2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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