

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48712 of 2021

Arising Out of PS. Case No.-212 Year-2020 Thana- JAYNAGAR District- Madhubani

CHANDRAVEER YADAV S/o Dev Narayan Yadav R/o village - Khairamath,
P.S.- Jainagar, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Narendra Kumar Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

3 29-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 363 and 366(A)/34 of the Indian Penal Code read with Section 12 of the Protection of Children from Sexual Offenses Act, 2012.

Learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that petitioner with the help of other accused persons kidnapped his minor daughter, aged about 16 years, with a view to marry her on 16.04.2020. It is next alleged that the victim-girl left her house after taking ornaments worth Rs.1,00,000/- and cash Rs.40,000/-. It is further alleged that the kidnapping was done after inducement made to the victim.

Learned counsel for the petitioner further submits that



from bare perusal of the allegation as alleged in the FIR, it would manifest that the victim had reached the age of discretion and on her own volition she left the house as before eloping she took away ornaments and cash as has been detailed in the FIR that in itself demonstrates that the victim was not kidnapped, rather she left her home on her own volition. It is next submitted that the victim was recovered and her statement was recorded under Section 164 Cr.P.C. and from perusal of the same, it would manifest that though she has taken name of the petitioner and other accused persons but the statement is general and omnibus in nature, though she has specifically stated that Shiv Kumar Sah had committed wrong with her. Learned counsel, thus, submits that as far as the petitioner is concerned, against him it is only alleged that he had taken the victim along with other accused persons up till Patna. It is next submitted that similarly situated co-accused Rakesh Singh has been granted anticipatory bail by order dated 02.12.2021 in Cr. Misc. No. 23695 of 2021.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the nature of allegation and the



statement of the victim recorded under Section 164 Cr.P.C., the petitioner above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs.10,000/- (Rupees Ten 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 Jaynagar P.S. Case No. 212 of 2020, subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

(Satyavrat Verma, J)

Kundan/-

U		T	
---	--	---	--

