

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53904 of 2021

Arising Out of PS. Case No.-17 Year-2021 Thana- BIHARIGANJ District- Madhepura

Surenra Yadav @ Suren Yadav Son Of Late Shyam Sundar Yadav Resident
Of Parmanandpur, Ward No. 10, P.S.- Bihariganj, District- Madhepura

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Rupesh Kumar, Advocate
For the Opposite Party/s : Mr.Ramchandra Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 21-04-2022 Heard counsel for the parties.

The petitioner is an accused in connection with Bihariganj P.S. Case No. 17 of 2021 for the offence under sections 363 and 366A)/34 of the Indian Penal Code in which he is in jail since 25.5.2021.

At the outset, the learned counsel for the petitioner submits that he will file supplementary affidavit correcting the affidavit portion of the bail application.

Prayer is allowed.

The petitioner shall file corrected version within a week from today.

As per prosecution story, the allegation against the petitioner and his son is that they jointly abducted the victim girl for the purpose of marriage. A perusal of the order passed by the



court below shows that the victim girl is presently at Care Home, Gai Ghat, Patna. Main allegation is against accused Dipak Kumar that he used to tease the informant's girl. He is of criminal nature and had threatened him earlier also that he will abduct his daughter. The informant further alleges that when he wanted to counsel him, the said Dipak Kumar threatened him of dire consequences stating further that he will malign the character of the girl before the society. The contents of the FIR discloses that the allegation has been levelled against the accused Dipak Kumar and according to the learned counsel for the petitioner he is still absconding.

So far as this petitioner is concerned, he is father of the said accused Dipak Kumar and has already suffered being in jail since 25.5.2021 as stated in para-1 of the bail application.

The charge-sheet has been submitted and as such in view of the fact that he is in jail since 25.5.2021, this Court is inclined to grant the privilege of bail to the petitioner. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of J.M. First Class, Udakishunganj, Madhepura, in connection with Bihariganj P.S. Case No. 17 of 2021 subject to the following conditions:-



(i) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reasons will entail his cancellation of bail by the Trial Court itself;

(ii) he shall in no way try to induce or promise or threat the witnesses or tamper with the evidence, failing which the State shall be at liberty to take steps for cancellation of his bail bonds;

(iii) the petitioner shall desist from committing any criminal offence again, failing which the State shall take steps for cancellation of his bail bonds.

The bail application is allowed with the aforesaid observation.

(Rajiv Roy, J)

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