

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45893 of 2022

Arising Out of PS. Case No.-92 Year-2022 Thana- SAUR BAZAR District- Saharsa

Ajay Yadav @ Ajay Kumar Son Of Pulendra Yadav Resident Of Village -
Sabaila, P.S.- Sour Bazar (Bajinathpur OP), Distt.- Saharsa.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raja Surendra Mohan, Advocate

For the Opposite Party/s : Mr. Pronoti Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 09-12-2022 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 through video conferencing.

Petitioner seeks regular bail in connection with Sour
Bazar (Bajinathpur O.P.) P.S. Case No. 92 of 2022 registered for
the offence punishable under Section 365 of the Indian Penal
Code.

As per the prosecution, the informant's son was
kidnapped by this petitioner and was forcibly married to the
daughter of one Bipin Yadav on a gun point.

The main submissions advanced by the learned
counsel Mr. Raja Surendra Mohan appearing for the petitioner



are that the allegation made in the FIR is totally false, in fact the victim Sonu Abhishek and the daughter of the co-accused Bipin Yadav namely Rupa Kumari fell in love and their love affair was in the knowledge of the family members of both the parties and the alleged marriage was performed by the victim in the presence of several villagers and the instant case was lodged due to land dispute and the petitioner who is a distant relative of co-accused Bipin Yadav has been falsely implicated in this case and he has been languishing in jail since 21.05.2022.

Learned APP Mr. Pronoti Singh appearing for the State as well as learned counsel for the informant have vehemently opposed the bail prayer and submitted that the defence taken by petitioner on the basis of the said land dispute is completely false and the police chargesheeted the petitioner for the alleged wrong of abduction and the petitioner has been named as a main accused in the FIR.

Heard both the sides and perused the FIR. The instant case relates to abduction allegedly committed in respect of son of the informant for the purpose of marriage. Petitioner is named accused and as per the allegation he appears to be the main accused and the informant claimed himself to be the eye witness of the alleged occurrence of abduction and as per the



prosecution the victim who happens to be the son of the informant supported the allegation of abduction in his statement before the Judicial Magistrate. Considering the nature of the allegation appearing against the petitioner, in the opinion of this Court the petitioner does not deserve to the privilege of bail. Accordingly, his bail prayer stands rejected.

(Shailendra Singh, J.)

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