

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59524 of 2021

Arising Out of PS. Case No.-167 Year-2021 Thana- BARH District- Patna

CHANDAN KUMAR @ CHANDAN KUMAR YADAV Son of Late Ram
Balak Yadav Resident of Village- Basobagi, P.S.- Barh, District- Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Premchandra Yadav, Advocate

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

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-03-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in connection with Barh P.S.
Case No. 167 of 2021 instituted for the offences under Section
366(A) of the Indian Penal Code.

Learned counsel for the petitioner submits that the
petitioner is in custody since 21.05.2021, is a person with clean
antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that the
informant alleges that the petitioner abducted her daughter
despite being a married man and having four children, further
the petitioner had allured the victim that he would transfer all
his property including the pickup van in the name of the victim.
It is further alleged that petitioner in abducting the victim was



helped by the named accused persons in the F.I.R.

Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the present case, victim was recovered on 19.05.2021 by the police from Barh Bazar and she was alone, she disclosed before the police that she was taken to Surat by the petitioner by train and was not allowed to talk to her parents and later came to know that petitioner was a married man having four children. Learned counsel submits that the victim even refused for her medical examination and in her statement recorded under Section 164 of the Cr.P.C., victim stated that the petitioner forcefully took her to his sister's place at Hasan Chak and when the case was instituted, the petitioner brought her back. Learned counsel submits that from perusal of the statement of the victim recorded under Section 161 and 164 of the Cr.P.C. is diametrically opposite, further the victim herself was not ready for her medical examination and in her statement under Section 164 Cr.P.C. she does not allege any sexual assault by the petitioner. Learned counsel further submits that petitioner and the victim were in love and the victim knowing that the petitioner was married on her own volition had gone to his sister's place and the father of the victim instituted the present case.



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

Considering the fact that the petitioner is in custody, is a person with clean antecedent, charge-sheet has been submitted in the case, the victim has not alleged any sexual assault and her statement under Section 164 and 161 Cr.P.C. does not tally, the petitioner is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-I, Barh in connection with Barh P.S. Case No. 167 of 2021.

(Satyavrat Verma, J)

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