

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61431 of 2021**

Arising Out of PS. Case No.-246 Year-2021 Thana- NARPATGANJ District- Araria

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OM NARAYAN YADAV SON OF LATE CHUMIT LAL YADAV, R/O
VILLAGE- MADHURA WEST, WARD NO.-5, P.S.- NARPATGANJ,
DISTRICT- ARARIA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gopal Kumar Jha

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

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 15-09-2022 The learned counsel for the petitioner is directed to remove
all the defects pointed out by the office within one month.

Heard the learned counsel for the petitioner as well as Mr.
Narendra Kumar Singh, the learned Additional Public Prosecutor for
the State.

The petitioner apprehends his arrest in connection with
Narpatganj P.S. Case No. 246 of 2021 registered for offence
punishable under sections 363, 366/34 of the Indian Penal Code.

The learned counsel for the petitioner has submitted that
the father of the victim has also lodged similar case in 2016 for
kidnapping of his minor daughter against the petitioner and the
present case has been lodged after five years of that case with the
same allegation. As a matter of fact, the son of the petitioner and the
alleged victim were in love affairs and the victim has solemnized
marriage with the son of the petitioner. He has submitted that the



victim has stated in her statement under Section 164 of the Cr.P.C. that she has solemnized marriage with son of the petitioner, but the certified copy of the statement of victim under Section 164 Cr.P.C. is not being provided by the court below, it is the reason that it could not be attached with the record.

Considering the above-mentioned facts and circumstances, the petitioner above-named, in the event of his arrest or surrender, within four weeks from today, is directed to be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Araria in connection with Narpatganj P.S. Case No. 246 of 2021, subject to condition as laid down under section 438(2) Cr. P.C.

The learned counsel below shall verify the submission of the learned counsel for the petitioner from the statement of the victim under Section 164 of the Code of Criminal Procedure, since it is not available with the record. The learned court below shall be at liberty to cancel the bail bond, if the submission is not found true.

Office shall ensure that all defects are removed by the petitioner within the stipulated time mentioned hereinabove, failing which, the matter shall be brought to the notice of this Court.

(Nawneet Kumar Pandey, J)

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