

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64243 of 2021

Arising Out of PS. Case No.-71 Year-2021 Thana- BARHAT District- Jamui

Ajay Yadav Son of Degan Yadav Resident of Village- Bharkahua, P.S.-
Barhat, District- Jamui.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Mishra
For the Opposite Party/s : Mr.Mohammad Sufyan

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 25-04-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in a case registered for the offences punishable under Sections 363, 366A of the Indian Penal Code.

According to prosecution case, the minor daughter of the informant went missing on 30.06.2021. The informant believed that the accused Ajay Yadav has enticed away his daughter.

Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been



implicated in the present case. He further submits that there was love affair between the petitioner and the victim girl. He further submits that the statement of the victim was recorded under Section 164 Cr.P.C. in which she has categorically stated that the petitioner has not abducted her. She has further stated that she went with the petitioner out of her sweet will and volition. He further submits that the victim girl has been medical examined and the doctor has assessed her age as more than 19 years. The petitioner is in custody since 04.07.2021.

The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending in connection with Barhat P.S. Case No. 71 of 2021, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail



bond shall be cancelled by the Court below.

2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

3. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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