

**IN THE HIGH COURT OF JUDICATURE AT PATNA
(FROM RESIDENTIAL OFFICE VIA VIDEO APPLICATION)
CRIMINAL MISCELLANEOUS No.66373 of 2021**

Arising Out of PS. Case No.-90 Year-2021 Thana- KUTUMBA District- Aurangabad

1. KEDAR YADAV, Son of Late Banarasi Yadav
2. Anil Yadav, Son of Kedar Yadav
3. Lalita Devi, Wife of Kedar Yadav
All resident of village - Rohtas Khap, P.S.- Kutumba, District - Aurangabad.
... .. Petitioners
- Versus
- The State of Bihar
... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Amit Anand, Advocate
For the Opposite Party/s : Mr.Ram Bilash Roy Raman, APP

**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 13-05-2022 Heard Mr. Amit Anand, learned counsel for the petitioners and Mr. Ram Bilash Roy Raman, learned A.P.P. for the State.

Petitioners, in the present case, is seeking regular bail in connection with Kutumba P.S. Case No. 90 of 2021 registered for the offence under Section 366(A) and 34 of the Indian Penal Code. They are the father, brother and mother of the boy Arjun Kumar who had allegedly allured and taken away the daughter of the informant. Petitioners are in custody since 03.06.2021 having no criminal antecedent.

Learned counsel for the petitioners submits that on perusal of the First Information Report itself it would appear that the thrust of the allegations is against the boy Arjun Kumar.



The informant raised a suspicion alleging that these petitioners had locked the house and had fled away but in later part of the F.I.R. he has reiterated his belief that his daughter has been taken away by the boy Arjun Kumar with an intention to marry her.

Learned counsel submits that in fact it is a case of love affair between the two teenaged boy and girl, the victim girl has now come back and she has made statement that she had gone with the boy on her own volition. Apart from that she has also disclosed that she is 17 years of age. She stated that she wants to marry the boy and she had an apprehension/threat from her parents so she had left with the boy.

Mr. Ram Bilash Roy Raman, learned A.P.P. for the State has though opposed the prayer for bail of these petitioners but nothing material could be brought to the notice of this Court as against these petitioners. The boy Arjun Kumar is said to be in judicial custody.

Having regard to the fact that these petitioners are the family members of said boy Arjun Kumar, no specific role has been assigned to these petitioners in the alleged kidnapping of the daughter of the informant, the statement of the daughter of the informant as has been brought to the notice of this Court



discloses something else and these petitioners have remained in custody since 03.06.2021, investigation against them is complete and their presence may be secured in course of trial, therefore, this Court directs release of the petitioners above-named on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) each with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Aurangabad, in connection with Kutumba P.S. Case No. 90 of 2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. 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.

(Rajeev Ranjan Prasad, J.)

Rajeev/-

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

