

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69421 of 2021**

Arising Out of PS. Case No.-273 Year-2021 Thana- UCHKAGAON District- Gopalganj

Sandeep Yadav Son of Chandrama Yadav @ Chandrama Choudhary Resident
of Village- Manbodh Parsauni, P.S.- Uchkagaon, District- Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dhramveer, Adv.

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

**CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER**

5 21-11-2022 Let the defect(s), if any, be removed within two
weeks from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Uchkagaon P.S. Case No. 273 of 2021 lodged under Sections
363/365/34 of the I.P.C.

As per the prosecution case, the allegation against the
present petitioner along with other co-accused persons is that he
came to the house of the informant and took away her daughter
by enticing her with motorcycle.

Learned counsel for the petitioner submits that
petitioner is innocent and has committed no offence. He further
submits that the alleged victim has been recovered and upon

recovery, she has narrated her statement under Section 164 of Cr.P.C. in which she has not disclosed the name of anyone rather she has taken name of 2 unknown persons. Learned counsel submits that both belongs to same village. If she is well-known to each other then she definitely ought to disclose the name of present petitioner. Learned counsel further submits that there is delay in lodging F.I.R. about 20-25 days.

Learned counsel further submits that victim girl is habituated in filing such type of cases. She filed a case on early occasion also with same allegation.

Learned counsel for the State opposes the prayer for bail and submits that report was called for. In the report, it has been indicated that there were 6 charge sheet witnesses in which 4 witnesses have already been examined and only 2 official witness is adopted where doctor and I.O. report is left.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned A.C.J.M-IX, Gopalganj in connection with Uchkagaon P.S. Case No. 273 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C. with

other following conditions:

A. The petitioner shall support in trial and shall appear physically before the lower court on each and every date fixed, in case of non-appearance for two consecutive dates without sufficient cause, shall be resulted into cancellation of his bail bond.

B. One of the bailors shall be close relative who shall file affidavit before the court about his relationship with the petitioner.

C. The petitioner shall file an affidavit at the time of furnishing of bail bond that he shall not involve in such criminal activity during the continuance of present bail bond, violation of this condition shall be resulted into cancellation of his present bail bond.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

prakashmani/-

U		T	
---	--	---	--