

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20695 of 2023

Arising Out of PS. Case No.-92 Year-2022 Thana- SAUR BAZAR District- Saharsa

Ajay Yadav @ Ajay Kumar, Son Of Pulendra Yadav, R/O Village- Sabaila,
P.S.- Sour Bazar (Bajjnathpur O.P.), District- Saharsa

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raja Surendra Mohan, Advocate

For the Opposite Party/s : Mr.Shyameshwar Dayal, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

- 4 21-06-2023 1. Heard learned counsel for the petitioner and the learned APP for the State.
2. Petitioner seeks regular bail in connection with Sour Bazar (Bajjnathpur O.P.) P.S. Case No. 92 of 2022 dated 20.02.2022 registered for the offence punishable under Section 365 of the Indian Penal Code.
3. This is a second attempt of the petitioner for the relief of regular bail after the petitioner's earlier attempt for the same relief was rejected by this court vide order dated 09.12.2022 passed in Cr. Misc. No. 45893 of 2022 preferred by this petitioner.
4. As per the prosecution, the informant's son was kidnapped by this petitioner and was forcibly married to the daughter of one Bipin Yadav on a gun point.



5. Learned counsel for the petitioner submits that the fresh grounds on which basis the petitioner has come again before this court are that firstly, the petitioner has been languishing in judicial custody since 21.05.2022. Secondly, after the rejection of bail petition of the petitioner one co-accused Roushan Kumar, carrying serious allegation as per the victim's statement, has been granted anticipatory bail by a co-ordinate bench of this court vide order passed in Cr. Misc. Case No. 46557 of 2022 and the third ground is that in a complaint petition filed by co-accused Rupa Kumari against the prosecution party, the court concerned has taken cognizance of the alleged offences against the prosecution party.

6. Learned APP appearing for the State opposes the bail prayer.

7. Considering the above submissions and mainly petitioner's judicial custody period and also the facts that one co-accused named above has been granted anticipatory bail by a co-ordinate bench of this court and in complaint case filed on behalf of co-accused Rupa Kumari against the prosecution party which is pending, cognizance of the alleged offences has been taken against the persecution party as per above submission, in the opinion of this court, at this stage, the petitioner deserves to



a lenient approach of this court. Accordingly, let the petitioner 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 concerned Court in connection with Sour Bazar (Bajjnathpur O.P.) P.S. Case No. 92 of 2022.

(Shailendra Singh, J)

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