

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 22451 of 2023

Arising Out of PS. Case No.-167 Year-2021 Thana- KHAJAULI District- Madhubani

NAVIN YADAV SON OF VIKRAMDEO YADAV @ BHIKHARI YADAV
RESIDENT OF VILLAGE- MAINA, TOL, P.S.- KHAJAULI, DISTT.-
MADHUBANI

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr Shailendra Kumar Jha, Advocate

For the Opposite Party/s : Dr Indivar Kumari, APP

CORAM: HONOURABLE MR JUSTICE CHANDRA PRAKASH SINGH
ORAL ORDER

2 22-05-2023 Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner and learned Additional Public Prosecutor (for brevity, **APP**) appearing for the State of Bihar.

The petitioner has preferred this application for grant of regular bail in connection with Khajauli Police Station (for brevity, **PS**) Case No 167 of 2021 dated 05.10.2021 corresponding to GR No 1791 of 2021 initially registered for the offence punishable under Sections 365, 120B of Indian Penal Code (for brevity, **IPC**) but charge sheet has been submitted against the petitioner under Sections 364, 201, 120B of IPC.

As per prosecution case, the petitioner and co-accused Sabita Devi along with others are alleged to have abducted the



informant's brother Shiv Kumar under conspiracy.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is accused in three other criminal cases as stated in paragraph 3 of the bail petition. He is in custody in this case since 28.06.2022. The co-accused Sabita Devi has already been granted anticipatory bail by the coordinate Bench of this Court in Cr Misc No 60080 of 2022.

Learned APP has vehemently opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances of the case, the period of custody as well as the nature of allegation against the petitioner, the petitioner above named is directed to be released on bail on his furnishing bonds of Rs 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate, First Class, Madhubani in Khajauli PS Case No 167 of 2021 dated 05.10.2021 corresponding to GR No 1791 of 2021, subject to the following conditions:

(1) One of the bailors shall be a close relative of the petitioner who shall give genealogy as to how he is related to the petitioner.

(2) The petitioner is directed to



remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, his bail is liable to be cancelled.

This application stands allowed.

(Chandra Prakash Singh, J)

M.E.H./-

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