

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34775 of 2023

Arising Out of PS. Case No.-104 Year-2022 Thana- DURAU LI District- Siwan

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Mantu Yadav S/O Awadh Yadav @ Awadh Chaudhary R/O Village-
Sonbarsha, P.S- Darauli, Distt.- Siwan.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary

For the Opposite Party/s : Mr.Usha Kumari 1

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CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

5 10-10-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Learned counsel for the petitioner has filed the supplementary affidavit wherein it is stated that the notice issued to the opposite party no. 2 has been received by his brother who are living together with the opposite party no. 2.

3. Considering the facts aforesaid, notice issued to the opposite party no. 2 is treated to be validly served.

4. The petitioner is apprehending his arrest in a case registered for the offence punishable under Sections 363, 366A/34 of the Indian Penal Code and Sections 3(1)(r)(s) of the SC/ST Act.

5. Petitioner is said to have kidnapped the minor daughter of the informant for the purpose of marriage.

6. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this



case. He submits that occurrence took place on 18.12.2021 but the FIR has been lodged on 07.04.2022 after delay of 3 months 20 days without explaining any reasonable cause of delay. He submits that the victim, in her statement recorded under Section 164 Cr.P.C., has not supported the prosecution case. He further submits that petitioner has no criminal antecedent as stated in para-3 of the bail application.

7. Learned APP for the State opposes the prayer for bail.

8. Considering the facts and circumstances of the case and the statement of the victim, let the above named petitioner in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, be enlarged on bail on furnishing bail bond of Rs.25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/successor court in connection with Darauli P.S. Case No. 104 of 2022, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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