

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36757 of 2023

Arising Out of PS. Case No.-156 Year-2021 Thana- TARARI District- Bhojpur

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Dharmendra Yadav @ Dharmendra Son Of Baban Yadav @ Baban Singh
Resident Of Village - Kachahri Tola, P.S. - Charpokhri, Distt. - Bhojpur. At
Present Resident Of Village -Kapurdihra, P.S. - Charpokhri, Distt. - Bhojpur

... .. Petitioner

Versus

The State Of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 01-08-2023 Heard learned counsel for the petitioner and the State.

2. The petitioner apprehends arrest in a case registered
for the offence punishable under sections 366A/120B/34 of the
Indian Penal Code.

3. As per the prosecution case, petitioner and other
accused persons kidnapped minor daughter of the informant.

4. Learned counsel appearing for the petitioner
submits that the specific allegation of kidnapping is against co-
accused Bir Bahadur Kumar who is alleged to have married the
victim. No overt act has been alleged against the petitioner.
There is delay of seven months in lodging of the FIR and there
is no explanation of delay which itself creates doubt over the
veracity of the prosecution case. Petitioner claims clean



antecedent.

5. Considering the aforesaid facts of the case, prayer for bail of the petitioner is allowed. In the event of arrest/surrender within six weeks from today, let the petitioner, mentioned above, be enlarged on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Judicial Magistrate 1st class Bhojpur at Ara in Tarari Police Station Case No. 156 of 2021, subject to the conditions laid down under section 438(2) of the Code of Criminal Procedure.

(Prabhat Kumar Singh, J)

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