

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40939 of 2023

Arising Out of PS. Case No.-237 Year-2022 Thana- KAMTAUL District- Darbhanga

Prem Shanker Yadav Son Of Late Indal Yadav Resident Of Village -
Laxmanpur, P.S. - Gaighat, Distt. - Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumar Praveen

For the Opposite Party/s : Mr.Mritunjay Kumar Nirala

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 01-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 363, 376, 506 and 34 of the Indian Penal Code.

Allegation against the petitioner is that he abducted the daughter of the informant forcibly and brought her to Muzaffarpur district. It is further alleged that the petitioner committed rape of the victim on denial by her to change her religion. The informant's daughter somehow managed to flee from his clutch.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is further submitted that



the victim had herself gone to Delhi with the petitioner and after spending eight months with the petitioner, she came back to meet her family members and on the pressure of her family, she lodged a false case against the petitioner. Further, there is nine months delay in lodging the FIR which shows the falsity of this case. It is also submitted that the victim is major and matured mind who is aged about 19 years. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 16.01.2023.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Kamtaul P.S. Case No. 237 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned C.J.M., Darbhanga.

(Sunil Kumar Panwar, J)

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