

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47718 of 2022

Arising Out of PS. Case No.-217 Year-2013 Thana- CHHATAPUR District- Supaul

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UMESH YADAV S/O RAMDHARI YADAV Resident of village- Kathara,
P.S.- Chhatapur, District- Supaul.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Arun,Advocate

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 04-01-2023 Heard Mr. Arun, learned counsel for the petitioner
and the State.

The petitioner apprehends his arrest in connection
with Chhatapur P.S. Case No. 217 of 2013 for the offence
registered under Sections 363, 365 and 366 of the Indian Penal
Code.

As per the allegation, the informants daughter went
missing and the allegation was that the petitioner may be the
person behind her missing.

Subsequently, the victim girl was recovered and she
made a statement first under Section 161 of the Cr. P.C and later
under Section 164 of the Cr.P.C, in which she stated that she
was in love with the petitioner herein, was major and married
him in Siliguri.

Learned counsel for the petitioner further submits that



although the police had submitted final form on 23.01.2019, the learned Court took cognizance against the petitioner only on 10.10.2021 prompting him to prefer this anticipatory bail application.

Learned APP. on the other hand, opposes the prayer stating that the petitioner is the person behind her elopement.

Taking into account the statement made by the victim girl under Section 164 of the Cr.P.C in which she has stated herself to be major, was in love with the petitioner and had subsequently married him in Siliguri, this Court is inclined to grant him the said relief.

Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned J.M.-1st Class, Supaul in connection with Chhatapur P.S. Case No. 217 of 2013 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Jagdish/Neha/-

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