

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63188 of 2023

Arising Out of PS. Case No.-242 Year-2023 Thana- ARA MUFFSIL District- Bhojpur

Mahesh Yadav Son Of Bharat Yadav Resident Of Village- Ramapur, Ps- Ara
Muffasil, Dist- Bhojpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarveshwar Tiwary

For the Opposite Party/s : Mr.Pradeep Narain Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 19-12-2023 Heard learned counsel for the petitioner and

learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in a case registered for the offences punishable under Sections 365, 366/34 of the Indian Penal Code.

Prosecution case in nutshell is that when he woke up early in the morning he found his daughter missing. After search, he came to know that her daughter fled away with co-accused Santosh Ram and the petitioner, as a tempo driver, is also involved in her elopement. Allegation against the petitioner is that he



has carried informant's daughter and co-accused Santosh Ram to Danapur Railway Station from his Tempo and for that Santosh Ram has given Rs. 1,100 as fare.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. Petitioner is a tempo driver and he has no knowledge about informant's daughter and co-accused Santosh Ram and he has no concern with the alleged offence. It is further submitted that informant's daughter and co-accused Santosh Ram have solemnized marriage and presently they are living in Delhi. Moreover, the petitioner is languishing in judicial custody since 08.06.2023. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties



and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Ara Muffasil P.S. Case No. 242 of 2023 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned A.C.J.M. VII, Bhojpur, Ara.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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