

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66952 of 2023

Arising Out of PS. Case No.-15 Year-2023 Thana- NADI P.S. District- Bhagalpur

1. Tulsi Kumar, son of Vidya Nand Yadav @ Bididi @ Bididi Yadav, Village-Dhoriya, P.S.- Nadi, Dist- Bhagalpur
2. Manish KUMar Yadav, son of Siro Yadav, Village- Dhoriya, P.S.- Nadi, Dist- Bhagalpur
3. Sanjay Kumar @ Sanjay Kumar Yadav, son of Jitendra Yadav, Village-Dhoriya, P.S.- Nadi, Dist- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aditya Nath Pandey, Advocate
For the Opposite Party/s : Mr. Parmanand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

2 01-11-2023 Heard Mr. Aditya Nath Pandey, learned counsel

appearing on behalf of the petitioners and the learned APP for

the State.

2. The petitioners are apprehending their arrest in connection with Nadi P.S. Case No. 15 of 2023 registered for the offences punishable under Sections 363, 366, 504, 506/34 of the Indian Penal Code.

3. Allegedly the minor sister of the informant had enticed away by the co-accused Ripul Kumar Yadav @ Ripul Kumar for the purpose of marriage and the petitioners are said to be involved in the crime and assisting in kidnapping of his



sister.

4. It is submitted on behalf of the petitioners that so far the thrust of the allegation is concerned, the same has been levelled against co-accused Ripul Kumar Yadav @ Ripul Kumar, with whom the victim had love affairs and this fact has also been corroborated by the victim in her statement recorded under Section 164 of the Cr.P.C. He further submits that in the impugned order, the learned Sessions Judge has discussed the statement of the victim recorded under Section 164 of the Cr.P.C., which, prima facie, suggests that the victim girl voluntarily left her house along with co-accused Ripul Kumar Yadav @ Ripul Kumar. There is no allegation, as such, against these petitioners. He lastly submits that the petitioners are men of fair antecedent and there is no allegation of any overt act against them.

5. On the other hand, learned APP for the State opposes the bail application and submits that the petitioners are named accused with specific allegation.

6. Regard being had to the submissions made on behalf of the parties and considering the statement of the victim recorded under Section 164 of the Cr.P.C. wherein she has not made any allegation, as is evident from the impugned order,



coupled with their fair antecedent, let the petitioners, named above, in the event of their arrest or surrender before the court below within four weeks from the date of receipt/production of a copy of this order, be released on bail on furnishing bail bonds of Rs.10,000/- (Rupees ten thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-III, Naugachhia, Bhagalpur in connection with Nadi P.S. Case No. 15 of 2023, subject to the condition as laid down under Section 438 (2) of the Cr.P.C. with the further condition that one of the bailors shall be the own/close relative of the petitioners.

(Harish Kumar, J)

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