

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68553 of 2022

Arising Out of PS. Case No.-5 Year-2021 Thana- PANCHRUKHI District- Siwan

DINESH YADAV Son of Sri Sukath Yadav @ Parmatma Yadav R/v- Arjal,
P.S.- Pachrukhi, District-- Siwan

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bijay Prakash Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 04-05-2023 Heard learned counsel for the petitioner and the
learned A.P.P. for the State.

The petitioner seeks bail, who is in custody since 23.09.2022 in connection with Pachrukhi P.S. Case No. 05 of 2021, F.I.R. dated 02.01.2021 registered for the offence punishable under Sections 363,366(A),370,34 of IPC.

The prosecution case, in short, is that on 01.01.2021, accused persons including the petitioner are alleged to have kidnapped the minor daughter (the victim) of the informant aged about 16 years for the purpose of marriage.

Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in the present case. Further submits that in fact the petitioner was in love with the victim and they have performed



the marriage on 30.06.2022 and as per medical report, the victim was major at the time of occurrence. Further submits that no case is made out against the petitioner as alleged in the FIR and the police, after investigation, submitted chargesheet against the petitioner and the petitioner is in custody since 23.09.2022.

Learned APP for the State has opposed the prayer for bail of the petitioner.

Considering the aforesaid facts, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate-VI, Siwan in connection with Pachrukhi P.S. Case No. 05 of 2021, with the following conditions:-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) One of the bailors should be the victim, namely,



Manisha Kumari.

And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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