

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71466 of 2022

Arising Out of PS. Case No.-402 Year-2022 Thana- BUXAR MUFFSIL District- Buxar

MAHASH YADAV @ MANDAS YADAV Son of Ashok Yadav R/V-
Jagdishpur P.S- Buxar (Muffasil) Dist- Buxar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anand Kumar Ojha, Adv.

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

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-03-2023 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner apprehends his arrest in a case registered
for the offence punishable u/s 363/366(A)/34 of the IPC.

Allegedly, the daughter of the informant has been taken
away by the F.I.R. named accused persons including the
petitioner.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case. No such occurrence, in
the manner as alleged, has ever taken place. The allegation
leveled against the petitioner is not specific rather general and
omnibus in nature. Informant is not the eye-witness of the
alleged occurrence. The statement of the victim was recorded



u/s 164 Cr.P.C., in which, she has not supported the prosecution case and stated that she went to Sasaram to meet one Riva Tiwari. Petitioner has no criminal antecedent.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since the victim has not supported the prosecution case, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending/Successor Court in connection with Buxar (Muffasil) P.S. Case No.402/2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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