

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12439 of 2024

Arising Out of PS. Case No.-402 Year-2021 Thana- NAANPUR District- Sitamarhi

Rakesh Kuamr Yadav, Male, aged about 20 years, Son Of Mahendra Yadav
R/O-Naya Tola, P.S.-Nanpur, Distt.-Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vikash Kumar Jha, Advocate

For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND
MALVIYA**

ORAL ORDER

2 27-02-2024 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Nanpur P.S. Case No.402 of 2021 registered for the offence
under Sections 363, 366(A), 341, 323, 379 and 354/34 of the
Indian Penal Code.

3. As per the prosecution case, it is a case of
kidnapping of the daughter of the informant by the accused
persons.

4. Learned counsel appearing on behalf of the
petitioner submits that petitioner has falsely been implicated in
this case. He next submits that the informant is not an eye
witness to the alleged occurrence. Petitioner has got clean
antecedent and he is in custody since 04.04.2022.

5. Learned APP appearing for the State,



opposes the prayer for bail of the petitioner.

6. On perusal of the first information report, it appears that the FIR registered under Sections 363, 366(A), 341, 323, 379 and 354/34 of the IPC against eight accused persons including the petitioner. On perusal of the impugned order dated 19.10.2022, it appears that the victim recovered and her statement was recorded under Section 164 of the Cr.P.C. where she has not supported the case of the prosecution. Petitioner is in custody since 04.04.2022 and the chargesheet has also been submitted under Sections 363 and 366(A) of the IPC and Sections 9/11 of the Child Marriage Act, in these circumstances, I am inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner is allowed. Let the petitioner, above named, is directed to be released on bail in connection with Nanpur P.S. Case No.402 of 2021 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned ADJ-VI, Sitamarhi.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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