

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12719 of 2024

Arising Out of PS. Case No.-21 Year-2020 Thana- GOGRI District- Khagaria

Vikram Yadav Son of Ajay Yadav Resident of Village- Goraiyabathan, P.S.-
Gogri, District- Khagaria (Bihar)

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shailendra Kumar Singh, Advocate

For the Opposite Party/s : Ms. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

3 17-05-2024

Heard the parties.

2. The petitioner is in custody in connection with Gogri P.S. Case No. 21 of 2020 for the offence under sections 364, 506/34 of the Indian Penal Code lodged on 19.01.2020 by the informant, Sunita Devi.

3. As per the prosecution story, the allegation is that the husband of the informant (victim) and family members were living in the parents house. In the meantime, when he went out to attend the call of nature, she heard him raising alarm. Upon coming out, saw the named accused persons including this petitioner kidnapping her husband and taking him away. The motive has been alleged to be that son of the informant has solemnized love marriage with the daughter of the co-accused Manohar Yadav which led to this kidnapping. Accordingly, the



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4. Learned counsel for the petitioner submits that omnibus allegation has been made against all the accused persons and only because Manohar Yadav's daughter solemnized love marriage with informant's son, on the basis of suspicion, claiming herself to be the eye witness and she has made allegation against the accused persons.

5. The last submission is that similar placed co-accused Sanjay Yadav and Mahipal Yadav have since been granted bail vide Cr. Misc. No. 11367 of 2021 and Cr. Misc. No. 32805 of 2021.

6. Learned APP opposes the prayer for bail stating that the victim has still not been traced out.

7. Though there is specific allegations against the petitioner, in view of the fact that similar situate persons have been granted bail, as stated above as also the fact that he is in custody since 20.09.2023, this Court is inclined to extend him the privilege of bail with conditions.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned C.J.M. Khagaria, in connection with Gogri P.S. Case No. 21 of 2020



subject to the following conditions:

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bond.

(Rajiv Roy, J)

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