

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL APPEAL (SJ) No.2498 of 2024

Arising Out of PS. Case No.-19 Year-2023 Thana- BHEJA District- Madhubani

Ravindra Kumar Yadav @ Ravindra Yadav @ Ravin Yadav Son of Baldev
Yadav R/O Vill.- Rampura, P.S.- Bheja, Dist.- Madhubani Appellant/s
Versus

1. The State Of Bihar
2. Gulab Devi Wife of Jagdev Chaupal R/O Vill.- Rampura, P.S.- Bheja, Dist.-
Madhubani
... .. Respondent/s

Appearance :

For the Appellant/s	:	Mr. Gagandeo Yadav, Mr.Ravi Prakash, Mr. Udeshya Kumar Yadav, Advocates.
For the Respondent/s	:	Mr.Binay Krishna, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 05-12-2024 Heard learned counsels for the appellant, State and
the informant.

2. The present appeal is directed against the order dated 18.04.2024 passed by learned 1st Additional Sessions Judge-cum-Special Judge, Madhubani whereby and where under learned court has been pleased to reject the bail application filed by the appellant in Bheja P.S. Case No. 19/2023, G,R.No. 507/2023 dated 17.03.2023 for the offence u/s. 363, 366(A), 34 of the IPC and sections 3(i)(r) (s), 3(2) (v) (a) of SC/ST Act, which is pending in the court of learned 1st Additional Sessions Judge-cum-Special Judge, Madhubani

3. As per the prosecution story, the informant alleged that the accused persons came and forcibly took away her daughter on motorcycle which led to the FIR.

4. It is the case of the appellant that they were in



relationship, got married and now are blessed with a child. Earlier, some confusion took place which resulted into the FIR, for the present, the couple is residing together happily and a petition to this effect (Annexure-2) is already on record which has been submitted before the learned Additional Sessions Judge-cum-Special Judge, SC/ST Act, Madhubani. He has already suffered by being in custody since 12.12.2023.

5. The informant is represented through the learned counsel and he has acknowledged and submitted that now there is no confusion between them and the couple is residing happily with their child.

6. Taking into account the aforesaid facts as also the submissions put forward by parties, FIR is there, it will take its legal journey, the appellant is in custody since 12.12.2023 having no criminal antecedent, this Court is inclined to extend him relief.

7. In that background, the order dated 18.04.2024 passed by learned 1st Additional Sessions Judge-cum-Special Judge, Madhubani in Bheja P.S. Case No. 19/2023, (G.R.No. 507/2023) stands set aside and the appeal allowed.

8. Let the appellant, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten thousand)



with two sureties of like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge, Madhubani, in connection with aforesaid PS Case subject to the following conditions:

- (i) one of the bailors should be the family member/relative of the appellant who shall provide official document to show his bona fide;
- (ii) the appellant 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 appellant 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;
- (iv) the appellant shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Rajiv Roy, J)

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