

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67750 of 2024

Arising Out of PS. Case No.-286 Year-2024 Thana- FATEHPUR District- Gaya

Upendra Yadav @ Upendra Prasad Yadav Son of Indrajeet Yadav @ Indrajeet Prasad Yadav Resident of Village- Manjhauli, P.S. Fatehpur, District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mrs. Sangeeta Sharma, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 01-10-2024 Heard learned counsel for the petitioner and learned APP for the State.

2. In this present case, the petitioner seeks bail in connection with Fatehpur P.S. Case No. 286 of 2024, registered on 20.05.2024 for the offences under Section 366 of the Indian Penal Code.

3. As per prosecution case, the petitioner eloped with the wife of the informant taking along with them two children of the informant.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. Petitioner happens to be brother-in-law (*Bhaisur*) of the victim lady. Wife of the informant herself went with the petitioner and statement of the victim lady was



recorded which shows it was not a case of kidnapping. Medical report also says no recent sexual activity. The petitioner has got no criminal antecedent. The petitioner is in custody since 21.05.2024.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the doubtful nature of allegation against the petitioner and also considering the clean antecedent of the petitioner as well as his period of custody, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned Additional Chief Judicial Magistrate, Gaya/concerned court in connection with Fatehpur P.S. Case No. 286 of 2024, subject to the conditions mentioned in Section 437(3) of the Code of Criminal Procedure and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court



below.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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