

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5757 of 2025

Arising Out of PS. Case No.-398 Year-2024 Thana- BARACHATTI District- Gaya

Raju Yadav (M), aged about 21 years, Son of Shankar Yadav Resident of
Village - Sharwankhap, P.S. - Barachatti, District - Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. S. Jamil Akhter, Advocate
For the Opposite Party/s : Mr. Jai Narain Thakur, APP

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

ORAL ORDER

3 19-04-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is in custody in a case registered for
the offence punishable under Sections 137(2) and 87 of the
BNS, 2023.

3. As per allegation in the FIR, it is a case abduction
of the minor daughter of the informant by the petitioner.

4. Learned counsel for the petitioner submits that
petitioner has falsely been implicated in this case on the basis of
suspicion. He next submits that accused persons and the victim
were friends so from the number of victim mobile, it is not sure
that the victim has been taken away by the petitioner as stated in
para-7 of the petition. Petitioner is in custody since 02.09.2024



and he has got no criminal antecedent as stated in para-3 of the petition.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. On perusal of the first information report, case diary and impugned order dated 19.10.2024, it appears that during course of investigation, the victim returned with her own sweet will and she has been examined under Section 183 of the BNSS and her statement was recorded where she has stated that no allegation of sexual assault against the petitioner and noting about use any criminal force and she has further stated that she has gone with the petitioner with her own consent, so considering all aspects of the matter, I am inclined to grant bail to the petitioner.

7. Accordingly, let the above named petitioner be released on bail on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned ACJM-II, Sherghati, District-Gaya in connection with Barachatti P.S. Case No. 398 of 2024.

(Ramesh Chand Malviya, J)

Brajesh Kumar/-

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