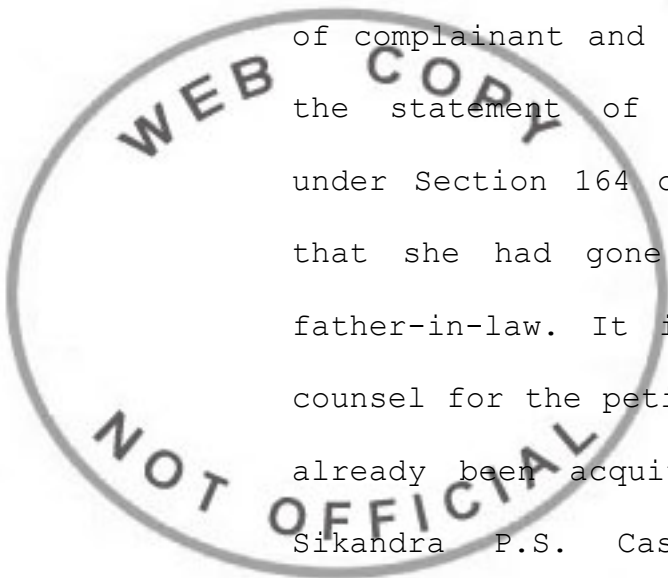


IN THE HIGH COURT OF JUDICATURE AT PATNA
Cr.Misc. No.9343 of 2011
TEKLAL YADAV @ PAGLA YADAV
Versus
THE STATE OF BIHAR

2 31.03.2011 Heard learned counsel for the
petitioner as well as learned Additional
Public Prosecutor for State.

It would appear from perusal of
impugned order as well as submission of
learned counsel for the petitioner that, prior
to filing of Complaint Case No.172(C) of 2003
the complainant's husband had lodged Sikandra
P.S. Case no.9/2001 in respect of kidnapping
of complainant and when in the aforesaid case
the statement of complainant was recorded
under Section 164 of the Cr.P.C., she stated
that she had gone Kolkatta along with her
father-in-law. It is pointed out by learned
counsel for the petitioner that petitioner has
already been acquitted in the above stated
Sikandra P.S. Case no.9/2001, and after
lodging the above stated case, the complainant
filed the present complaint case after two
years of the alleged occurrence. It is very
unfortunate that although, the above stated
facts were placed before the learned Sessions



Judge, Jamui, but he completely ignored the aforesaid facts and rejected the bail application of the petitioner without applying his judicial mind.

In the aforesaid circumstance, let the petitioner, namely, Teklal Yadav @ Pagla Yadav be released on bail on furnishing bail bonds of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Md. Salim, J.M., Ist Class, Jamui in connection with Complaint Case No.172C of 2003.

(Hemant Kumar Srivastava, J.)

