

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37965 of 2017

Arising Out of PS.Case No. -97 Year- 2017 Thana -LAKHISARAI District- LAKHISARAI

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1. Chandan Yadav S/o Late Kamo Yadav, Resident of Village- Jhinaura,
Police Station- Lakhisarai, District- Lakhisarai.

.... Petitioner/s

Versus

1. The State of Bihar

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ganesh Sharma

For the Opposite Party/s : Mr. Md. Ashlam Ansari

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 31-08-2017 Heard the parties.

This application is for grant of regular bail in connection with Lakhisarai (Kawaiya) P.S.Case No.97 of 2017 , registered for the offences punishable under Sections 366A/120(B) of the Indian Penal Code and Section 8 of POCSO Act, 2012.

Allegation against the petitioner is of kidnapping a minor girl of the informant.

Submission of the learned counsel for the petitioner is that as a matter of fact there was love affair between the parties and when she was recovered, due to fear of the family members she has named this petitioner and made false allegation. The petitioner is in custody since 7.7.2017. There is no allegation of rape or any other wrong act against the petitioner.



Heard learned A.P.P. and the learned counsel for the informant. They have opposed the prayer for bail on the ground that the girl is minor and the materials collected during the course of investigation shows that she became pregnant and her pregnancy was miscarried by the petitioner.

Having heard both sides and in view of the facts and circumstances, as stated above, I am not inclined to grant bail to the petitioner, however, considering the fact that he is in custody, the learned trial court is directed to expedite the trial of the petitioner.

With the aforesaid observation, this application is dismissed.

(Vinod Kumar Sinha, J)

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