

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 52603 of 2019**

Arising Out of PS. Case No.-148 Year-2018 Thana- PANDAUL District- Madhubani

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MUKESH YADAV @ MUKESH KUMAR YADAV, aged about 22 years
(Male), Son of Budhan Yadav, Resident of Village - Baturi, P.S. - Pandaul,
District - Madhubani.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Gagan Deo Yadav

For the Opposite Party/s : Mr.Binod Kumar

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CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

3 16-11-2019 Heard learned counsel for the petitioner and the
learned APP for the State.

Petitioner seeks bail in a case registered under
Sections 363, 366A, 372, 504, 506/34 of Indian Penal Code and
Sections 8 & 12 of Prevention of Children from Sexual
Offences Act.

It is submitted by the petitioner's counsel that the
prosecution case is false and intended with mala fide. The
victim girl has deposed before the Judicial Magistrate that her
parents have implicated the petitioner and his family members
in a false case. She has specifically stated that she, on her own
volition, has married with the instant petitioner and that she is
also carrying pregnancy arising out of the wedlock. Petitioner is



in custody since 10.07.2019 and having no criminal antecedent.

Learned APP for the State submits that the victim girl is, even as per statement before the Court, only 17 years old.

Considering the rival submissions, prayer for bail is allowed.

Let the petitioner above named be released on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge I -cum- Special Judge, POCSO Act, Madhubani in Pandaul Police Station Case No 148 of 2018 dated 22.08.2018 subject to the following conditions:

(1) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailors will also undertake to inform the Court if there is any change in the address of the petitioner.

(2) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail will be liable to be cancelled.

(Madhuresh Prasad, J)

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