

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17193 of 2020

Arising Out of PS. Case No.-465 Year-2019 Thana- MOHANIYA District- Kaimur (Bhabua)

Dharmendra Yadav @ Lalu Yadav Son of Raj Narayan Yadav Resident of
Village - Singhipur, P.S.- Audhogik, Distt - Buxar.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

2 02-06-2020 Heard learned counsel for the petitioner and learned APP
for the State through video conferencing.

The petitioner who is in custody since 1.11.2019 has filed the instant application for grant of regular bail in connection with Mohaniya P.S. Case no. 465 of 2019 registered under sections 363, 366A and 504 of the Indian Penal Code.

As per allegation in the FIR, the 16 year old daughter of the informant disappeared on 23.10.2020. It is stated that on enquiry it transpired that the petitioner had kept her daughter. On the informant going to get her daughter, it is stated that the accused persons started to abuse her and were bent upon beating her. It is stated that the informant is convinced that the accused has taken away her daughter with intention of marriage.

It is submitted by learned counsel for the petitioner that the allegation as levelled in the FIR are false and concocted. There is no explanation for the delay in lodging of the FIR. It is submitted that the application for bail of the petitioner was earlier rejected by order dated 3.2.2020 (Annexure 1) passed in



Cr. Misc. no. 5878 of 2020 giving liberty to the petitioner to renew his prayer for bail once charge is framed. It is submitted that charge has been framed in the case which would be evident from Annexure-6 to the petition. The petitioner has no criminal antecedent and is in custody since 1.11.2019.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the liberty granted to the petitioner vide order dated 3.2.2020 together with the fact that charge has been framed in the case, the Court is inclined to enlarge the petitioner on bail. The petitioner is directed to be enlarged on bail in connection with POCSO Case no. 3 of 2020 (arising out of Mohaniya P.S. Case no. 465 of 2019, G.R. no. 2274 of 2019) on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge 1st -cum-Special Judge POCSO, Kaimur at Bhabhua.

(Partha Sarthy, J)

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