

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20548 of 2021

Arising Out of PS. Case No.-121 Year-2020 Thana- RAJNAGAR District- Madhubani

1. KARI YADAV @ RAM BINOD YADAV Son of Late Dashrath Yadav Resident of Village- Salempur, P.S.- Bisfi, District- Madhubani.
2. Pappu Yadav Son of Kari Yadav @ Ram Binod Yadav Resident of Village- Salempur, P.S.- Bisfi, District- Madhubani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar Jha, Advocate

For the Opposite Party/s : Mr. Kumar Ranjit Ranjan, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 15-11-2021 Heard learned counsel for the parties.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 366A, 376 and 34 of the Indian Penal Code, section 4 of the POCSO Act and sections 9 and 10 of The Prohibition of Child Marriage Act, 2006.

As per the prosecution case, the five named accused persons including the two petitioners herein are stated to have kidnapped the informant.

It is submitted by learned counsel for the petitioners that the allegations as levelled against the petitioners are false and incorrect. There was love affair between the informant's daughter and accused Rahul Yadav. The petitioners have been falsely implicated in the case because of their being the father



and brother of the said Rahul Yadav. Learned counsel for the petitioners further referring to the statement of the victim under section 164 Cr.P.C which is Annexure 3 to the petition submits that the main allegation is against Rahul Yadav of having established physical relations with her. The said Rahul Yadav has been enlarged on bail vide order dated 13.11.2020 which has been brought on record as Annexure 5 to the supplementary affidavit. The petitioners are in custody since 10.9.2020 and investigation in the case has concluded.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts of the case, grant of bail to co-accused Rahul Yadav and the petitioners having remained in custody for over 1 year, the Court directs the two petitioners to be enlarged on bail in connection with Rajnagar P.S. Case no. 121 of 2020 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J. 6th-cum-Special Judge, POCSO Act, District Madhubani.

(Partha Sarthy, J)

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