

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22158 of 2021

Arising Out of PS. Case No.-367 Year-2020 Thana- TRIVENIGANJ District- Supaul

LAL BAHADUR YADAV Son of Late Khushilal Yadav Resident of Village -
Narha, Ward no.14, P.S.- Triveniganj, Distt.- Supaul.

... .. Petitioner/s
Versus
THE STATE OF BIHAR Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Amrit Abhijat, Advocate
For the State : Mr. Surendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 15-11-2021 Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 366A, 506, 380 and 34 of the Indian Penal Code and sections 8 and 17 of the POCSO Act.

As per the prosecution case, the accused persons including the petitioner herein are stated to have kidnapped the minor daughter of the informant.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the FIR are false and concocted. The petitioner has been falsely implicated in the case because of his being the father of Mithilesh Kumar with whom the daughter of the informant was having love affair and with whom she married out of her own volition. Referring to the order dated 26.3.2021 passed in POCSO Case no. 67 of 2020,



Annexure 5 to the instant application it is submitted by learned counsel for the petitioner that in the medical report the age of the daughter of the informant has been assessed to be between 18-19 years i.e. she is a major. Further, in her statement under section 164 Cr.P.C she has stated about marrying Mithilesh Kumar out of her own volition and that she wants to go to her Sasural. The petitioner is in custody since 6.1.2021 and has no criminal antecedent.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the contents of the statement of the alleged victim under section 164 Cr.P.C together with the charge sheet having been submitted in the case, the Court directs the petitioner to be enlarged on bail in connection with Triveniganj P.S. Case no. 367 of 2020 corresponding to POCSO Case no. 67 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge VI-cum-Special Judge, POCSO, Supaul.

(Partha Sarthy, J)

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