

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35180 of 2020

Arising Out of PS. Case No.-31 Year-2018 Thana- BHAGWANGANJ District- Patna

Karu Yadav Son of Shri Brij Nandan Yadav Resident of Village-Bedouli
Lakhnaur, Bedauli, Patna, Masaurhi, Police Station-Bhagwanganj and
District-Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Avinash Chandra, Adv.

For the Opposite Party/s : APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 20-01-2021 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for regular bail has been filed
by the petitioner in connection with Bhagwanganj P.S. Case
No.31 of 2018 registered under sections 366A and 34 of the
Indian Penal Code.

As per allegation in the FIR, it is stated that the
petitioner, a tempo driver and one another accused person
kidnapped the daughter of the informant with the intention of
marriage.

It is submitted by learned counsel for the petitioner
that the daughter of the informant is a 19 year old major and that
she had gone out with the petitioner out of her own volition. It is



as a result of pressure that she has given the statement under section 164 Cr.P.C. The petitioner is in custody since 16.3.2018 and has no criminal antecedent. The petitioner is ready to give an undertaking that he will cooperate in the trial.

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

By order dated 23.12.2020 a report with respect to the stage of trial had been called and the same has been received. As per report contained in letter dated 7.1.2021 of the Additional District and Sessions Judge-VII-cum-Exclusive Special Court, POCSO Act, Patna, three out of the nine chargesheet witnesses have been examined on behalf of the prosecution. Further the 13 years old daughter of the informant has categorically made allegations of rape against this petitioner in her statement under section 164 Cr.P.C. Thus, this Court is not inclined to enlarge the petitioner on bail and the application for bail of the petitioner is rejected.

Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

Bibhash/-

U		T	
---	--	---	--

