

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11375 of 2022

Arising Out of PS. Case No.-178 Year-2021 Thana- SAHARSA SADAR District- Saharsa

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LAV KUSH YADAV @ LAV KUMAR @ LAV @ KUSH YADAV Son of
Sanjay Yadav Resident of Village- Sakhauri, P.S.- Sour Bazar, District-
Saharsa.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad

For the Opposite Party/s : Mr.Nagendra Prasad

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 28-07-2022 Learned counsel for the petitioner is permitted to
remove defect (s), as pointed out by the office, if any, within a
period of four weeks on resumption of physical mode.

Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has preferred this application for grant
of regular bail in a case registered under Sections 363, 366A
read 34 of the Indian Penal Code and Section 8 of the POCSO
Act.

As per the prosecution case, it is alleged that the
petitioner and co-accused person kidnapped the minor daughter
of the informant.

Learned counsel for the petitioner has submitted that
the petitioner is innocent and he has falsely been implicated in
this case. Allegation levelled against the petitioner is false



and concocted. The petitioner has clean antecedent as stated at para 3 of the bail petition. Learned counsel for the petitioner has further submitted that the victim in her statement recorded under Section 164 of the Cr.P.C. has not stated the name of the petitioner. It is further stated in her statement that two persons kidnapped her and co-accused, Manish Kumar took her in a lodge at Madhepura and later on, he solemnized his marriage with her. The petitioner is in custody since 24.08.2021.

Learned A.P.P. for the State as well as learned counsel for the informant has opposed the bail petition of the petitioner.

Considering the aforesaid facts and circumstances, the petitioner above-named, is directed to be enlarged on bail on his furnishing bail-bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-1st-cum-Special Judge, POCSO Act, Saharsa in connection with POCSO Case No. 45 of 2021, Saharsa Sadar P.S. Case No. 178 of 2021.

The bail application stands allowed.

(Chandra Prakash Singh, J)

shobhakri/-

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