

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61087 of 2021

Arising Out of PS. Case No.-244 Year-2021 Thana- LAKHISARAI District- Lakhisarai

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RAMCHANDRA YADAV S/O LATE NAKAT YADAV R/o village- Morama,
P.S.- Lakhisarai (Amahara O.P.), District- Lakhisarai

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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with

CRIMINAL MISCELLANEOUS No. 13621 of 2022

Arising Out of PS. Case No.-244 Year-2021 Thana- LAKHISARAI District- Lakhisarai

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PRADUMAN @ PRADUMAN YADAV Son of Ramchandra Yadav Resident
of Village- Morma, Police Station- Amahra in the district of Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

(In CRIMINAL MISCELLANEOUS No. 61087 of 2021)

For the Petitioner/s : Mr. Baxi S.R.P. Sinha, Sr. Adv.
Mr. Zainul Abedin, Adv.

For the Opposite Party/s : Mr. Tapeshwar Sharma, APP

(In CRIMINAL MISCELLANEOUS No. 13621 of 2022)

For the Petitioner/s : Mr. Pankaj Kumar, Adv.

For the Opposite Party/s : Mr. Amit Kumar Rakesh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 10-05-2022 Heard learned counsel for the parties.

The petitioners have preferred this application for grant of regular bail in connection with Lakhisarai (Amohara O.P.) P.S. Case no.244 of 2021 registered under sections 363, 365 and 34 of the Indian Penal Code.

As per the prosecution case, the accused persons



including Manish Kumar are said to have kidnapped the daughter of the informant.

It is submitted by learned senior counsel for the petitioner that the petitioner has been falsely implicated in the case only for the reason that he happens to be the father of the aforesaid Manish Kumar. The daughter of the informant returned and her statement was recorded under section 164 Cr.P.C. which is Annexure-2 to Cr. Misc. no.13621 of 2022. She has categorically stated therein that it was she who herself called Manish Kumar, went with him and married him out of own free will. She is in the family way. She expressed her desire to go with her husband. The petitioners are in custody since 27.7.2021 and 30.12.2021 respectively.

The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. It is submitted by learned counsel for the informant that the accused persons including Manish Kumar not only forcibly kidnapped the minor daughter of the informant but Manish Kumar has also been making objectionable photographs of the daughter of the informant viral and yet another F.I.R. being Lakhisarai P.S. Case no.718 of 2021 has been registered.

Having heard learned counsel for the parties and



taking into consideration the nature of allegation in the F.I.R., the contents of the statement of the daughter of the informant under section 164 Cr.P.C., chargesheet having been submitted in the case, the Court directs the two petitioners to be enlarged on bail in connection with Lakhisarai (Amohara O.P.) P.S. Case no.244 of 2021/POCSO Case no.28 of 2021 (arising out of Lakhisarai (Amahra) P.S. Case no.244 of 2021) 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 Chief Judicial Magistrate, Lakhisarai/Additional District and Sessions Judge VI-cum-Special Judge, POCSO, Lakhisarai.

(Partha Sarthy, J)

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