

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66425 of 2021

Arising Out of PS. Case No.-39 Year-2021 Thana- SATHI District- West Champaran

Suraj Kumar Yadav @ Suraj Yadav Son of Lalbabu Yadav Resident of Village
- Chhawani, P.S.- Bettiah Town, (Kalibag O.P.), Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

For the Opposite Party/s : Ms.Dr. Indihar Kumari

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 25-02-2022 Heard the parties through video conferencing.

The petitioner seeks bail in Sathi P.S. Case No. 39 of 2021, registered for the offence punishable under Sections 363/366A of the Indian Penal Code and section 8 of the POCSO Act.

As per the prosecution case, this petitioner is alleged to have enticed away minor daughter of informant on the pretext of marriage and kept her in his house. When the informant went at the house of petitioner and inquired about her daughter they drove her away.

It is submitted on behalf of the petitioner that petitioner has falsely been implicated in this case. The victim girl returned and recorded her statement under Section 164 Cr.P.C, but she has not stated any foul against this petitioner and



when the petitioner found the victim girl alone in disturbed condition, he took her with himself and helped her and also informed her parents. Petitioner is in custody since 09.07.2021 having no criminal antecedent.

Learned APP however, vehemently opposed the prayer for bail and submitted that victim girl in her statement under Section 164 Cr.P.C duly supported the prosecution case and the court has assessed her age to be 16 years.

Considering the nature of allegation and statement of victim girl under Section 164 Cr.P.C, I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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