

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67213 of 2021**

Arising Out of PS. Case No.-165 Year-2021 Thana- SATHI District- West Champaran

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YOGENDRA SAH, S/O LATE SHEOPUJAN SAH, R/o village- Gidha, Ward
No. 03, P.S.- Chanpatiya, District- West Champaran

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

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Appearance :

For the Petitioner/s : Mr.Jitendra Kumar Giri, Advocate

For the Opposite Party/s : Mr.Akhileshwar Dayal, A.P.P.

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**CORAM: HONOURABLE MR. JUSTICE RAJEEV RANJAN PRASAD
ORAL ORDER**

2 16-05-2022 Learned counsel for the petitioner undertakes to

remove all the defects as pointed out by office within two weeks

after start of normal functioning of the Court.

Heard learned counsel for the petitioner and Mr.
Akhileshwar Dayal, learned A.P.P. for the State.

Petitioner in the present case is seeking regular bail in

connection with Sathi P.S. Case No. 165 of 2021 registered for

the offences punishable under Sections 363/366(A) of the Indian

Penal Code and Section 8/12 of the POCSO Act. He is in

custody since 17.10.2021. The petitioner has got no criminal

antecedent.

Learned counsel for the petitioner submits that as per

the prosecution story, the informant's daughter had gone to her

maternal uncle's house and the accused persons named in the



F.I.R. kidnapped her for the purpose of marriage.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the petitioner is the father of the boy with whom the daughter of the informant is missing and in missing of the informant's daughter the petitioner being father has no role to play. He is in custody since 17.10.2021.

Mr. Akhileshwar Dayal, learned APP for the State is present and has opposed the prayer for regular bail of the petitioner.

Having regard to the submission that this petitioner is the father of the boy who is said to have kidnapped the daughter of the informant with an intention to marry, the submission is that the petitioner has no role to play in the alleged occurrence and that it seems to be a case of love affair between the boy and the girl in which both are missing and from the tenor of the F.I.R. itself it appears that the daughter of the informant is said to have left her house to go to the house of her maternal uncle but nobody was accompanying her, in the given kind of story and on finding that the petitioner is the father of the boy and has remained in custody since 17.10.2021, investigation against him is complete as also his presence may be secured in course of



trial, this Court directs that the petitioner above named be released on bail on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand only) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-cum-Special Judge (POCSO), West Champaran at Bettiah in connection with Sathi P.S. Case No. 165 of 2021, subject to the condition as laid down under Section 437 (3) Cr.P.C.

And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajeev Ranjan Prasad, J)

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Note: The ordersheet duly signed has been attached with the record. However, in view of the present arrangements, during Pandemic period all concerned shall act on the basis of the copy of the order uploaded on the High Court website under the heading 'Judicial Orders Passed During The Pandemic Period'.

