

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.153 of 2022

Arising Out of PS. Case No.-183 Year-2021 Thana- FATEHPUR District- Gaya

Sonu Yadav S/O Umesh Yadav @ Umesh Prasad Resident Of Village-
Meyari, P.S. Fatehpur, District- Gaya Petitioner/s
Versus
The State Of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar, Adv.
For the Opposite Party/s : Mr. Humayou Ahmad Khan, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 08-12-2022 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Fatehpur P.S. Case No. 183 of 2021 lodged under Sections 363,
366(A), 34, 376 of the I.P.C. read with Section 4 of the POCSO
Act.

As per the prosecution case, the allegation has been
made by the father of the deceased that the present petitioner
along with his one known and 5 unknown friends have
kidnapped the daughter of the informant. The informant further
submits that in the F.I.R. that that petitioner has called from his
Mobile no. to the informant's Mobile no. that he has kidnapped
the victim and threatened to rape her so F.I.R. has been lodged
relating to kidnapping with a threat of rape.

Learned counsel for the petitioner submits that

petitioner is innocent and has committed no offence. Learned counsel submits that petitioner's antecedent is clean. The F.I.R. has been filed after delay of about 2 days. Learned counsel further submits that petitioner is in custody since 30.07.2021 and charge sheet has already been filed in this case. In the case diary, Statement under Section 164 of Cr.P.C. are there. From the content of statement, it transpires that it is neither the case of kidnapping nor there is any allegation of rape made by the victim

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Spl. Judge POCSO Court-cum- A.D.J. VI, Gaya in connection with Fatehpur P.S. Case No. 183 of 2021, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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