

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5982 of 2023

Arising Out of PS. Case No.-356 Year-2022 Thana- BAKHTIARPUR District- Saharsa

Jairam Kumar @ Jayram Yadav Son Of Shree Yogendra Yadav R/V-
Bajnathpur, Ward No. 17, P.O.- Saroja, P.S.- Simri, Bakhtiyarpur, District-
Saharsa

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Suman Kumar Jha
For the Opposite Party/s : Mr.Shailendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 10-04-2023 Heard learned counsel for the petitioner and
learned APP for the State.

The petitioner has prayed for regular bail in a case
registered for the offence punishable under section 363 and
366(A) of the Indian Penal Code and Sections 4 and 8 of the
POCSO Act, 2012.

As per prosecution case, allegation against the
petitioner along with other co-accused persons is that they
abducted the minor grand daughter of the informant for the
purpose of marriage.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has



falsely been implicated in this case. The statement of victim recorded under section 164 of Cr.P.C. which is annexed as Annexure-2, wherein, she stated that she went with this petitioner with her own sweet will thereafter they solemnized marriage in a temple. It is further submitted that the victim girl is major and aged about 18 years. A statement has been made in para-3 of the petition that the petitioner has got no criminal antecedent. Similarly situated co-accused, namely, Yogendra Yadav @ Yogi Yadav has already been granted bail by this Court vide order dated 04.04.2023 passed in Cr. Misc. No. 72360 of 2022. Moreover, the petitioner is languishing in judicial custody since 20.08.2022.

Learned APP appearing for the state has opposed the prayer of regular bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case as well judicial custody, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Simri Bakhtiyarpur P.S. Case No. 356 of 2022 on furnishing bail bond of



Rs.10,000/- (ten thousand) with two sureties of the like
amount each to the satisfaction of learned A.S.J.-Cum-
Special Judge, (POCSO), Saharsa.

(Sunil Kumar Panwar, J)

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