

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18111 of 2023**

Arising Out of PS. Case No.-155 Year-2022 Thana- BAIRIYA District- West Champaran

KAMLESH YADAV SON OF SRI NANDLAL YADAV R/O VILLAGE-
LAMUIYA, WARD NO.15, P.S.- BAIRIYA, DISTRICT- WEST
CHAMPARAN

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mrs. Sharda Kumari

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

- 3 03-08-2023 1. Learned counsel for the petitioner is permitted to remove defect (s), as pointed out by the office, if any, within a period of four weeks on resumption of physical mode.
2. Heard learned counsel for the petitioner and learned A.P.P. for the State.
3. The petitioner has preferred this application for grant of regular bail in connection with Bairiya P.S. Case No. 155 of 2022 dated 22.5.2022 registered for the offence punishable u/s 366A, 504, 506 read with section 34 of the Indian Penal Code and 12 of the POCSO Act as also 3(1)(r)(v) of the SC/ST Act.
4. As per the prosecution case, the petitioner and the co-accused persons are alleged to have kidnapped the minor



daughter of the informant for the purpose of marriage under conspiracy.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There is general and omnibus allegation against the petitioner. Nothing incriminating material has been recovered from the conscious possession of the petitioner. Learned counsel has further submitted that the petitioner has not called abuses in the name of caste of the victim. Further, the victim was not forced to have illicit relationship with another person. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 6.9.2022.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, West Champaran at Bettiah in connection with Bairiya P.S. Case No. 155 of 2022.



8. The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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