

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21302 of 2023

Arising Out of PS. Case No.-11 Year-2023 Thana- DEODHA District- Madhubani

SAKALDEO YADAV @ SAKAL @ KAPAL SON OF GANGAI YADAV
RESIDENT OF VILLAGE- INARWA GOTH WARD NO. 06, POLICE
STATION - DEODHA, DISTT- MADHUBANI

... .. Petitioner/s

Versus

1. The State of Bihar
2. RAM SHARAN YADAV SON OF LATE KAILASHPATI YADAV
RESIDENT OF VILLAGE- INARWA GOTH, PS- DEODHA, DISTT-
MADHUBANI

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Md. Soban Asghar
For the Opposite Party/s : Mr.Binod Kumar

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

ORAL ORDER

2 22-05-2023 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.

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

The petitioner has preferred this application for grant
of regular bail in connection with Deodha P.S. Case No. 11 of
2023 dated 28.01.2023 registered for the offences punishable u/s
376 of the Indian Penal Code and Section 4, 6 of POCSO Act,
2012.

As per the prosecution case, the petitioner is alleged



to have committed rape on the minor daughter of the informant.

Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Learned counsel has further submitted that no external and internal injury was present over the private part of the girl. The doctor has opined that no medical evidence of sexual assault was found at the time of examination. The Medical Board assessed the age of the victim as 19 years. The petitioner has got clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 30.01.2023.

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

Considering the aforesaid facts and circumstances of the case as well as the period of custody and the medical report, 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, Madhubani in connection with Deodha P.S. Case No. 11 of 2023 with the following condition :

1. The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable



cause, the bail bond of the petitioner is liable to be cancelled.

The application stands allowed.

(Chandra Prakash Singh, J)

Ajay Singh/-

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