

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26065 of 2023

Arising Out of PS. Case No.-764 Year-2022 Thana- LAKHISARAI District- Lakhisarai

Pawan Kumar @PAWAN Yadav Son Of Late Bilash Yadav Resident Of
Village- Kabaiya Ward No. 32, Ps- Kabaiya, Distt- Lakhisarai

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Amrendra Kumar, Advocate

For the Opposite Party/s : Mr.Amit Kumar Rakesh, APP

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

ORAL ORDER

2 24-05-2023 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 Lakhisarai P.S Case No.
764/2022 dated 23.09.2022 registered for the offences
punishable under sections 363, 366(A), 504 and 34 of the Indian
Penal Code and Sections 8 and 10 of the POCSO Act.

As per the prosecution case, the petitioner and the co-
accused persons are alleged to have kidnapped the minor
daughter of the informant with bad intention under conspiracy.



Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There was love affair between both the parties. There is no consistency between the statements recorded u/s 161 and 164 of the Cr.P.C. It is further submitted that the victim was not forced to have illicit intercourse with another person. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 24.09.2022.

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, 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, Lakhisarai in connection with Lakhisarai P.S Case No. 764/2022 of 2021.

The application stands allowed.

(Chandra Prakash Singh, J)

Atul/-

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