

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27299 of 2022

Arising Out of PS. Case No.-490 Year-2020 Thana- CHOUTARWA District- West
Champaran

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1. LORIK YADAV Son of Late Jagannath Yadav @ Jaggan Yadav Resident of village - Khalwa Tola, Kaulachi, P.S.- Chautarwa, District - West Champaran.
 2. Pramod Yadav Son of Sri Biran Yadav Resident of village - Khalwa Tola, Kaulachi, P.S.- Chautarwa, District - West Champaran.
 3. Lagan Kumar @ Lagan Yadav Son of Sri Lorik Yadav Resident of village - Khalwa Tola, Kaulachi, P.S.- Chautarwa, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Mukesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 16-01-2023 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have preferred this application for grant of regular bail in a case registered under sections 366A, 379, 504 and 34 of the Indian Penal Code.

As per the prosecution case, it is stated by the informant that his 17 year old daughter was taken away by the seven named accused persons including the three petitioners herein for the purpose of marriage. On enquiry he was abused and threatened.

Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case. The manner



of occurrence is other than what has been narrated in the FIR. The daughter of the informant returned and her statement was recorded under section 164 Cr.P.C wherein she categorically states that she is 19 year old and has not supported the prosecution case. The petitioners are in custody since 29.3.2022 and have no criminal antecedent.

Heard learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the material that has transpired in course of investigation especially the contents of the statement of the victim under section 164 Cr.P.C (Annexure-2) together with the petitioners have remained in custody for 9 months since 29.3.2022 and charge sheet having been submitted in the case, the Court directs the above named three petitioners to be enlarged on bail in connection with Chautarwa P.S. Case no. 490 of 2020 on each of them furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 7th Additional Sessions Judge-cum-Special Judge, POCSO Act, West Champaran at Bettiah.

(Partha Sarthy, J)

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