

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36063 of 2023

Arising Out of PS. Case No.-450 Year-2021 Thana- KAHALGAON District- Bhagalpur

GUDDU KUMAR YADAV SON OF SUNIL YADAV RESIDENT OF
VILLAGE- RASALPUR EKCHARI, PS- EKCHARI, DISTT-
BHAGALPUR Petitioner/s

Versus

The State of Bihar Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar, Adv.

For the Opposite Party/s : Mr. Akbar Ali, APP

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 28-06-2023 Heard Mr. Pankaj Kumar, learned counsel for the
petitioner and Mr. Akbar Ali, learned Additional Public
Prosecutor for the State.

2. Petitioner seeks regular bail in connection with
Kahalgaon (Ghogha) PS Case No. 450/2021 dated 08.07.2021
registered for the offence punishable under Section 366(A) of
the IPC. Later on, after investigation charge-sheet has been filed
under Sections 366(A), 376 IPC and Section 4 of the POCSO
Act.

3. As per First Information Report, the petitioner has
allegedly, abducted the minor daughter of the informant and has
performed marriage.

4. Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case due oblique
motive. He further submits that the victim girl, in her statement



recorded under Section 164 CrPC and in her deposition during course of trial at Annexure-3, has accepted that she had called the petitioner and asked her to marry with her because her parents were planning to solemnize marriage of the victim along with a person aged about 45 years. The victim girl has disclosed her age on the date of recording her deposition as 21 years.

5. Regards being had to the submissions made by the parties, taking into consideration the statement of the victim girl recorded during course of trial and her statement made under Section 164 CrPC which has been confirmed by the victim before the trial court, I am inclined to grant regular bail to the petitioner.

6. Accordingly, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, (POCSO)-cum-Additional Sessions Judge-VII, Bhagalpur in connection with POCSO Case No. 136/2022 arising out of Kahalgaon (Ghogha) PS Case No. 450/2021.

(Anil Kumar Sinha, J)

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