

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33726 of 2022

Arising Out of PS. Case No.-67 Year-2022 Thana- PIRPAINTI District- Bhagalpur

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DILUX KUMAR YADAV Son of Brahmdev Yadav @ Photo Yadav Resident
of Village - Dulduliya, P.S.- Pirpainti, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Subodh Pandit, S/o Kamaldev Pandit, R/o village- Dulduliya, P.S.
Pirpainti, District, Bhagalpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Manoj Kumar Jha, Advocate
For the Opposite Party/s	:	Mr.Navin Kumar Pandey, App
For O.P. No.2	:	Mr. Javed Jafar Khan, Advocate

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CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

5 20-02-2023 Let the defect(s), if any, pointed out by the office be removed within three weeks from the date of this order failing which the matter be listed again under the appropriate heading for necessary action.

Heard learned counsel for the petitioner, the learned APP for the State as well as the learned counsel for the Informant.

Petitioner seeks regular bail in connection with Pirpainti P.S. Case No. 67/2022 registered for the offences punishable under Sections 366(A)/120(B)/34 of the Indian Penal Code and later on added Section 376 of the Indian Penal Code and Section 4 of the POSCO Act.



As per the prosecution, the informant's daughter was kidnapped by this petitioner in furtherance of a conspiracy with other FIR named persons.

The main submissions advanced by the learned counsel Mr. Manoj Kumar Jha for the petitioner are that the petitioner is a student of B.A. Part – I and his date of birth is 04.11.2001, the so-called victim has been recovered and she has recorded her statement under Section 164 Cr.P.C. in which she denied the allegation of kidnapping and accepted her matrimonial relationship with this petitioner and the petitioner has been anguishing in jail since 07.03.2022 having fair and clean antecedent

Learned APP Mr. Manoj Kumar Jha appearing for the State as well as learned counsel Javed Jafar Khan appearing for the O.P. No.2 (Informant) has opposed the bail prayer.

Having considered the above submissions and mainly considering the petitioner's clean antecedent and the victim's statement recorded under Section 164 Cr.P.C. which completely goes against the prosecution's allegation, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner 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 the
concerned Court in connection with Pirpanti P.S. Case No.
67/2022.

(Shailendra Singh, J)

Sanjay/-

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