

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43134 of 2023

Arising Out of PS. Case No.-27 Year-2021 Thana- NAUTAN District- West Champaran

SUNIL YADAV @ SUNIL KUMAR @ RAJHARAN KUMAR Son of
Suchindra Yadav Resident of village - Srinagar, P.S. - Srinagar Pujaha, Distt. -
West Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Anant Kumar Mishra

For the Opposite Party/s : Mr.Anil Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 28-08-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for regular bail has been filed
by the petitioner instituted for the offence punishable under
Section 366(A) of the Indian Penal Code and Section 3(i)(w),
3(2)(v-a) of the SC/ST Act and Section 8 of the POCSO Act.

As per allegation in the FIR, while daughter of the
informant, aged about 13 years was going to her uncle's house,
FIR named accused persons including the petitioner has
abducted her for a unlawful purpose.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. There is love affair between the petitioner and daughter



of the informant. Statement of the victim girl was recorded u/s 164 Cr.P.C. in which she has stated that out of her own sweet will, she has eloped from her house and performed marriage with the petitioner and she is leading a happy marital life. She has not raised any finger against the petitioner for any offence. . Age of the daughter of the informant has been accessed as 19 years by the lower court. Petitioner has no criminal antecedent and he is languishing in judicial custody since 8.8.2022.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Judge POCSO-cum-Additional District and Sessions Judge VI, Bettiah, West Champaran in connection with Nautan P.S. Case No. 27 of 2021.

(Sunil Kumar Panwar, J)

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