

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38515 of 2023

Arising Out of PS. Case No.-394 Year-2022 Thana- CHOUTARWA District- West
Champaran

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DEEPAK YADAV Son of Late Asharfi Yadav Resident of Village-
Bharwaliya, Police Stastion- Nadi, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Brij Kishor Mishra
For the Opposite Party/s : Mr.Sadanand Paswan

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 18-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case
instituted for the offence under Sections 366(A), 379, 504/34 of
the Indian Penal Code, Sections 8 and 12 of the POCSO Act and
Sections 3(i)(r)(s)(w), 3 (ii)(va) of the SC/ST Act.

3. The allegation against the petitioner along with
others is of abducting the daughter of the informant, when she
went outside from her house.

4. It is submitted by learned counsel for the petitioner
that petitioner has been falsely implicated in this case. He has
committed no offence. The victim girl has recovered and her
statement recorded u/s 164 of the Cr.P.C., in which she does not



whisper about the complicity of this petitioner. The victim girl fall in love with the petitioner and out of her own sweet-will she earlier also fled away with this petitioner. There is no complaint with regard to physical assault, sexual abuse/misbehave against the petitioner to the victim girl. Petitioner has got no criminal antecedent as stated in para-3 of the bail petition. He is languishing in judicial custody since 28.11.2022.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, 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 Additional District and Sessions Judge-VIIth-cum-Special Judge (POCSO), West Champaran at Bettiah in connection with Choutarwa P.S. Case No. 394 of 2022.

(Sunil Kumar Panwar, J)

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