

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37697 of 2023

Arising Out of PS. Case No.-466 Year-2022 Thana- KOTWA District- East Champaran

KUNDAN KUMAR YADAV S/O SUDHIR RAI @ SUDHIR PRASAD
YADAV R/O Village- Dipau, PS. Kotwa, Dist. East Champaran

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Md. Fahimuddin

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

2 03-07-2023 Heard learned counsel for the petitioner as well as
learned APP for the State.

In this case, the petitioner is seeking regular bail in connection with Kotwa P.S. Case No. 466 of 2022, registered for the offences punishable under Sections 363, 366(A), 34 of the I.P.C.

Learned counsel for the petitioner has submitted that the impugned order shows itself that the alleged victim has called the petitioner herself on her mobile and went with him as per her own sweet will. She is on the verge of majority as per educational certificate.

On the other hand, learned APP has opposed the prayer for bail.



Considering the fact that the alleged victim girl has herself called the petitioner and went with him as per her own sweet will, let the petitioner above-named, be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned 6th Additional Sessions Judge Cum Special Judge, POCSO Act, Motihari, East Champaran in connection with Kotwa P.S. Case No. 466 of 2022, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

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