

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39774 of 2022

Arising Out of PS. Case No.-493 Year-2021 Thana- GARDANIBAG District- Patna

Saurav Yadav @ Avinash Sagar Son Of Sri Ajit Yadav @ Ajeet Kumar R/O
Village- Navchetana Path Near Shiv Mandir, Shivpuri, Anishabad, P.S.-
Gardanibagh, District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ambuj Kumar Chandra, Advocate
	:	Mr. Vijay Kumar Sinha, Advocate
For the Opposite Party/s	:	Mr. Mohammed Arif, APP
For the Informant	:	Mr. Sanjay Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 04-01-2023 Heard learned counsel for the petitioner, learned counsel for the State along with the Informant and perused the case diary.

The petitioner is in custody in a case registered for the offence punishable under Sections 363, 365, 366A, 376, 354C and 506 of the Indian Penal Code and Sections 67/67A of the I.T. Act and Section 4 of the POCSO Act.

Allegedly, it is a case of abduction and making physical relation with the victim.

Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. He further submits that the victim was recovered and she stated that she



was in physical relationship with the petitioner on the pretext of marriage. He further submits that when the informant got suspicion that the petitioner had kidnapped her daughter with intention to marry with her daughter Khushi Singh, she lodged the FIR and the victim Khushi Singh in her statement recovered under Section 164 of the Cr.P.C on 18.02.2022 stated at para no.2 that both came into contact with each other being a renter of the petitioner and they started video calling on the phone which were saved by the petitioner in his phone and when she refused for getting married with her being of not the same casts, the petitioner made it viral. She further stated at para no.4 of her statement that one Varsha, who is the friend of the petitioner called them at Hyderabad where the victim and the petitioner went on 01.12.2021 and got married on 04.12.2021 which is itself enough to show that the victim had not been kidnapped by the petitioner rather she had gone Hyderabad on her own sweet-will. Petitioner is in judicial custody since 09.03.2022.

Learned APP appearing for the State has opposed the prayer for regular 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 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 Additional Sessions Judge-VI-cum-Special Judge (POCSO), Patna in connection with Gardanibagh P.S. Case No. 493 of 2021, G.R.NO. 8138 of 2021.

(Sunil Kumar Panwar, J)

Brajesh Kumar/-

U		T	
---	--	---	--

