

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43658 of 2022

Arising Out of PS. Case No.-196 Year-2021 Thana- HULASGANJ District- Jehanabad

1. Rani Devi Wife of Azad Yadav Resident of village- Nirmani Math P.S- Hulasganj, Dist- Jehanabad
2. Azad Yadav Son of Shailendra Yadav Resident of village- Nirmani Math P.S- Hulasganj, Dist- Jehanabad

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance:

For the Petitioner/s : Mr. Paras Nath, Advocate

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 14-02-2023 Let the defects, 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 petitioners and the learned APP for the State.

Petitioners seek regular bail in connection with Hulasganj P.S. Case No. 196 of 2021 registered for the offences punishable under Sections 366(A), 363/34 of the Indian Penal Code and Section 8 of POCSO Act.

Allegedly, the daughter of the informant was kidnapped by the accused persons for the purpose of solemnizing marriage. It is alleged that the age of the victim was about sixteen years when the said occurrence took place.

The main submissions advanced by the learned counsel for the petitioners are that both the petitioners are relative of main accused namely, Harendra Kumar who has been granted bail by the Trial Court and both the petitioners have been languishing in jail since 29.05.2022 and the case has been compromised by both the parties and in actual the victim solemnized her marriage with co-accused Harendra Kumar and in the present time she is leading her conjugal relationship and the petitioners have fair and clean antecedent.

Learned counsel for the informant has accepted the above mentioned compromise and according to him the victim is presently residing at the house of co-accused namely, Harendra Kumar.

Having considered the above submissions and mainly the custody period of the petitioners and also the fact that the main accused is stated to be relative of both the petitioners who is on bail and both the sides have compromised, in the opinion of this Court it is a fit case for bail to the petitioners. Accordingly, let the petitioners named above be enlarged 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 Act, Jehanabad in connection with Hulasganj P.S. Case No. 196 of 2021.

(Shailendra Singh, J)

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