

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46380 of 2022

Arising Out of PS. Case No.-135 Year-2020 Thana- SRINAGAR District- West Champaran

Shiv Yadav S/O Awatar Yadav @ Ramwatar Yadav Resident Of Village -
Mangalpur, P.S.- Srinagar (Pujaha), District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar
For the Opposite Party/s : Mr. Murli Dhar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 14-02-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Srinagar Pujaha P.S. Case No. 135 of 2020 registered under sections 363, 366A and 34 of the Indian Penal Code and Section 8 of POCSO Act.

Allegation against the petitioner along with other co-accused persons is that they forcibly took away the daughter of the informant when she went for attending nature call.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this present case. There is a delay of 8 days in lodging the FIR. It is further submitted that the statement of victim was recovered under Section 164 of Cr.P.C.,



in which she stated that she is in love affairs with the petitioner and she went away to Nepal with the petitioner with her own sweet will and they lived there about 8 months together. She also did not whisper any complicity of the petitioner in this case. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. He is languishing in judicial custody since 23.03.2022.

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

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Srinagar Pujaha P.S. Case No. 135 of 2020 on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VI cum Special Judge-POCSO, Bettiah, West Champaran.

(Sunil Kumar Panwar, J)

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