

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49548 of 2022

Arising Out of PS. Case No.-130 Year-2021 Thana- MAHILA P.S. District- Araria

SUSHIL YADAV, S/o Kamleshwari Yadav, R/o Village- Mirdoul, P.S.-
Narpatganj, District- Araria

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Murari Narain Chaudhary, Advocate Mr. Vijay Kumar, Advocate Mr. Deepak Kumar, Advocate
For the Opposite Party/s	:	Mr. Dr.Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

5 18-04-2023 Let the defect(s), 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.

2. Heard learned counsel for the petitioner and the learned APP for the State.

3. Petitioner seeks regular bail in connection with Mahila (Forbisganj) P.S. Case No. 130 of 2021 dated 12.10.2021 registered for the offences punishable under Sections 376, 341, 323, 506, 325/34 of the Indian Penal Code and Section 4 of the POCSO Act.

4. The main submissions advanced by the learned



counsel for the petitioner are that the informant who is stated to be the victim, has recorded her statement under Section 164 of Cr.P.C. in which she completely denied the allegation levelled by her in the FIR and she disclosed her age as 19 years before the Judicial Magistrate while recording her statement and the petitioner has been languishing in jail since 11.07.2022 having fair and clean antecedent.

5. Learned APP appearing for the State has opposed the bail prayer.

6. Considering the above submissions made by the learned counsel for the petitioner, in the opinion of this court, the petitioner deserves to a lenient approach of this court. Accordingly, let the petitioner be released on bail in connection with Mahila (Forbisganj) P.S. Case No. 130 of 2021 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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