

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65185 of 2023

In

CRIMINAL APPEAL (SJ) No.2765 of 2023

Arising Out of PS. Case No.-515 Year-2022 Thana- RAJAON District- Banka

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BIHARI YADAV SON OF DHANRAJ YADAV RESIDENT OF VILLAGE-
DHAKAMORE, PS- BARAHAT, DIST- BANKA

... .. Petitioner/s

Versus

1. The State of Bihar
2. PRADIP DAS SON OF BINAY DAS RESIDENT OF VILLAGE-
MORMA, PS- RAJOUN, DISTT- BANKA

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey
For the Opposite Party/s : Mr.Usha Kumari 1

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CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

5 12-10-2023 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in Rajaun PS
Case No. 515 of 2022 registered for the offence punishable
under Sections 363, 366(A) of the Indian Penal Code,
Section 4 of the POCSO Act and Sections 3(i)(r)(s)(w)/3(2)
(va) of the SC/ST Act.

3.As per allegation in the FIR, minor daughter,
aged about 13 years of the informant had gone to natural
call but did not return. During search, informant came to
know that petitioner has kidnapped her for the purpose of
marriage.



4. It is submitted by learned counsel for the petitioner that petitioner has been falsely implicated in this case. Victim girl is 18 years old as per her deposition report. Her statement was recorded u/s 164 Cr.P.C. in which she has stated that out of her own sweet will she had eloped with the petitioner and performed marriage with him at a temple situated in Bhagalpur. Petitioner is languishing in judicial custody since 14.03.2023.

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

6. 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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-6-cum-Special Judge, POCSO, Banka in connection with Rajaun PS Case No. 515 of 2022.

(Sunil Kumar Panwar, J)

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