

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60150 of 2022

Arising Out of PS. Case No.-140 Year-2019 Thana- AGION (GARHANI) District- Bhojpur

Sipi Yadav @ Sipin Yadav Son Of Bihari Yadav @ Bihari Singh Yadav R/O
Village- Khalisa, P.S.- Udwanatnagar, District- Bhojpur

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Aggarwal
Mr. Raju Kumar Singh
Mr. Kumar Rajdeep

For the Opposite Party/s : Mr. Parmanand Kumar

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 21-02-2023 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 a case registered for the offences punishable under Sections 366(A), 494 of the I.P.C. and later on charge-sheet has been submitted under Section 366(A)/376 of I.P.C and Section 4 of POCSO Act.

As per allegation in the FIR, petitioner along with other co-accused persons abducted the minor daughter of the petitioner for the purpose of



solemnization of marriage.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. There is no independent witness of the alleged occurrence. The victim in her statement, recorded under Section 164 of Cr.P.C, has not whispered about the complicity of petitioner in the alleged offence. She stated that she, with her own sweet will, went with the petitioner and they have solemnized marriage. It is further stated that good sense has been prevailed between the parties. It is also submitted that petitioner is languishing in judicial custody since 26.05.2022. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail and submitted that victim was minor at the time of occurrence.

Having heard learned counsel for the parties



and taking into consideration 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 in connection with Agiaon (Garhani) P.S. Case No. 140 of 2019 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 A.C.J.M. I, Bhojpur, Ara.

(Sunil Kumar Panwar, J)

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