

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72360 of 2022

Arising Out of PS. Case No.-356 Year-2022 Thana- BAKHTIARPUR District- Saharsa

Yogendra Yadav @ Yogi Yadav Son Of Late Bahuri Yadav R/V- Baijnathpur,
P.S- Bakhtiyarpur (Balwa Hatt O.P) Dist- Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dular Chandra Sah Son of Lochan Sah R/V- Baijanathpur, P.S-
Bakhtiyarpur, Dist- Saharsa

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bal Krishna Mishra

For the Opposite Party/s : Mr.Satyendra Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 04-04-2023 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

The petitioner has filed the instant application for grant of regular bail in connection with Simri Bakhtiyarpur P.S. Case No. 356 of 2022 registered under sections 363 and 366A of the Indian Penal Code and Sections 4 and 8 of POCSO Act.

Allegation against the petitioner along with other co-accused persons is that they abducted the minor grand daughter of the informant for the purpose of marriage.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. It is submitted that the



statement of the victim was recorded under Section 164 of the Cr.P.C., in which she stated that she fall in love with the son of the petitioner namely, Jairam, and solemnized marriage with him in a Maheshwar temple situated at Kalwahat out of her own sweet will and she has not whispered any complicity about the petitioner. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent and he is languishing in judicial custody since 20.08.2022.

The application for bail is 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 as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Simri Bakhtiyarpur P.S. Case No. 356 of 2022 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 Cum Spl. Judge (POCSO), Saharsa.

(Sunil Kumar Panwar, J)

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