

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64734 of 2022

Arising Out of PS. Case No.-26 Year-2022 Thana- MAIGRA District- Gaya

BAIJ NATH YADAV S/o Prashad Yadav R/o Village- Bagpur, P.S.- Magira,
Distt- Gaya.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bhaskar Shankar
For the Opposite Party/s : Mr.Bharat Lal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 20-06-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for bail in a case registered
for the offence punishable under sections 302, 376, 120(B), 363,
366(A), 34 of the Indian Penal Code and sections 4/6 of POCSO
Act.

Prosecution case relates to abduction of 15 years old
minor daughter of the informant by co-accused Yogendra Bharti
and thereafter committed murder of the victim girl.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. He is not named in the FIR. His name transpired in this
case on the basis of confessional statement of main accused
Yogendra Bharti, before the police which has got no evidentiary



value in the eye of law. During investigation, no consistent material has come against the petitioner to show his involvement in the present case. Similarly situated other accused person has already been enlarged on bail by another coordinate Bench of this Court vide order dated 16.5.2023 passed in Cr. Misc. No. 65274 of 2022. Petitioner has got no criminal antecedent and languishing in judicial custody since 27.6.2022.

Learned APP appearing for the State has opposed the prayer of Bail.

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 Exclusive Special Judge, POCSO-cum-Additional Sessions Judge-VII, Gaya in connection with Special Case POCSO No. 76 of 2022 arising out of Maigra P.S. Case No. 26 of 2022.

(Sunil Kumar Panwar, J)

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