

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74990 of 2022

Arising Out of PS. Case No.-115 Year-2021 Thana- HARLAKHI District- Madhubani

AMAR YADAV S/o Pramod Yadav R/o Village- Kerwa, P.S.- Saharghat,
Distt- Madhbani.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Murari Narain Chaudhary

For the Opposite Party/s : Mr.Tarun Prasad Mandal

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 04-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 313, 376, 420 and 504/34 of the Indian Penal Code and Sections 3/4 of the Dowry Prohibition Act and Sections 4/6 of the POCSO Act.

As per FIR, the allegation against the petitioner is that he committed rape with the informant on the false pretext of marriage. It is further alleged that when the father of the victim tried to solemnize marriage of her daughter with the petitioner then he demanded five lacs cash as dowry.

Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has



falsely been implicated in this case. He has got no criminal antecedent. It is further submitted that the petitioner is languishing in judicial custody since 28.07.2022.

Learned APP appearing for the state has opposed the prayer of regular bail and submitted that victim is minor and as per her statement, which is annexed with case diary, she stated that the petitioner committed rape with her on false pretext of marriage due to which she became pregnant. It is further submitted that when father of the victim denied to fulfill dowry demand then the petitioner solemnized marriage with another.

Having heard the learned counsel for the parties and considering the fact that there is direct allegation against the petitioner of committing rape with the minor victim, this court is not inclined to enlarge the petitioner on bail and, as such, his prayer for bail stands rejected.

The trial Court is directed to expedite the trial and conclude the same as soon as possible

(Sunil Kumar Panwar, J)

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