

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71344 of 2023

Arising Out of PS. Case No.-131 Year-2023 Thana- RAXAUL District- East Champaran

UDAY YADAV Son of Chandrika Yadav R/o vill - Ahirwa tola, P.S. - Raxaul,
Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Abhishek Kumar, Advocate
For the Opposite Party/s	:	Mr. Krishna Kant Singh, Advocate
For the State	:	Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 07-11-2023 Heard the learned counsel for the petitioner and
learned counsel for the State.

2. The petitioner seeks bail in connection with Raxaul P.S. Case No. 131 of 2023 registered for the offence under Sections 323, 328, 366A, 504, 34 of the Indian Penal Code and Section 8 of the POCSO Act.

3. As per the prosecution case, the petitioner is alleged to have kidnapped the minor victim and has sexually abused her which has caused pregnancy.

4. Learned counsel for the petitioner, Mr. Verma submits that the girl in her statement made under Section 164 of the Cr.P.C. has stated that she was in a relationship with the petitioner and she got married with the petitioner and she is



carrying a pregnancy of three months.

5. Learned counsel for the informant, Mr. Krishna Kant Singh has submitted that the petitioner is married with one Punam Devi and in these circumstances, he being married man should not have entered into a relationship with the minor victim girl.

6. Considering the aforesaid facts, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer of bail of the petitioner is rejected herewith.

8. The Superintendent of Police, East Champaran, Motihari is directed to get the matter of marriage of the petitioner with Punam Devi investigated and file the further investigation report. If the further investigation report comes in favour of the petitioner, he may renew his prayer for bail.

9. Let a copy of this order be communicated to Superintendent of Police, East Champaran, Motihari, for its forthwith compliance.

(Sandeep Kumar, J)

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