

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70777 of 2022

Arising Out of PS. Case No.-202 Year-2022 Thana- BARAHAT District- Banka

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RAMDEO YADAV @ RAMDEO KUMAR @ RAMDEO KUMAR YADAV
S/o Deep Narayan Yadav R/v- Kenuatikar, P.S.- Barahat, District- Banka

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Mukherjee, Adv.

For the Opposite Party/s : Mr. Shailendra Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 27-04-2023 Heard learned counsel for the petitioner as well as

Shri Shailendra Kumar, learned APP for the State.

In this case, the petitioner is seeking regular bail in connection with Barahat P.S. Case No. 202 of 2022, registered for the offences punishable under Sections 366(A)/34 of Indian Penal Code and section 11/12 POCSO.

The allegation against the petitioner is that he kidnapped the minor daughter of the informant.

The learned counsel for the petitioner by producing the certified copies of PW-1 (the informant) and PW-2 (the victim) has submitted that the trial is going on and the informant and victim herself has examined and both of them did not support the prosecution case.



On the other hand, the learned APP has submitted that the victim in her statement under section of 164 of Cr.P.C has supported the entire occurrence.

Considering the fact that both the material witnesses including the victim herself have become hostile and did not support the prosecution case, let the petitioner, above-named, be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-6-cum-Sp. Judge POCSO, Banka in connection with Barahat P.S. Case No. 202 of 2022, subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(ii) If the petitioner is found involved in future in the similar type of offence, the prosecution will have liberty to file an application before the court below for cancellation of the bail of the petitioner and the learned court below will take decision in accordance with law.

(Nawneet Kumar Pandey, J)

Sudha/Sonali

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