

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3967 of 2024

Arising Out of PS. Case No.-12 Year-2023 Thana- PALI District- Jehanabad

Manoj Yadav @ Manoj Kumar S/O Rohan Yadav @ Rohan Singh @ Tohan
Yadav Mohalla- Thakur Asthan, Ward No. 8, Ps. Rajgir, Dist. Nalanda.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Anil Kumar, Adv.

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

5 19-07-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Pali P.S. Case No. 12 of 2023 lodged on 18.01.2023 for the offences punishable under Sections 363, 366(A), 368, 370(A), 372, 373, 376, 379, 411, 34 of the Indian Penal Code read with sections 4, 6, 8, 10 of the POCSO Act.

3. As per the prosecution, FIR has been lodged against unknown accused persons against whom there is an allegation that they have kidnapped the daughter of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Counsel also submits that the alleged victim has been recovered and she has narrated her statement before the police under section 161



Cr.P.C. and before the Magistrate under section 164 Cr.P.C. Counsel further submits that the victim has not whispered anything against the present petitioner. Counsel also submits that the criminal antecedent of the petitioner is clean.

5. Learned counsel for the petitioner further submits that case diary has been called for and in the case diary, the only allegation against the petitioner is that his premises were used by the accused persons for the purpose of keeping the victim and other girls. Counsel further submits that it has come in the investigation that the petitioner is not residing in the town where the alleged occurrence took place, rather, he is residing outside the town and therefore, anticipatory bail may be granted to the petitioner.

6. Learned APP for the State opposes the prayer for bail of the petitioner and submits that case diary as well as statement under section 164 Cr.P.C. has been called for and in statement under section 164 Cr.P.C., the alleged victim has not disclosed anything against the present petitioner.

7. As such, considering the aforesaid facts and circumstances, let the above named petitioner be released on bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail



bond of Rs.30,000/- (thirty thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge VI-cum-Special Judge (POCSO) Act, Jehanabad in connection with Pali P.S. Case No. 12 of 2023, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Dr. Anshuman, J)

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