

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18455 of 2024

Arising Out of PS. Case No.-221 Year-2023 Thana- CHAND District- Kaimur (Bhabua)

=====

NANDLAL YADAV S/o Lallan Yadav Resident of Village-Lasadi, P.S.-
Chand, district-Kaimur at Bhabua.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

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

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

=====

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 03-05-2024 Heard learned counsel for the petitioner and learned

A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
Chand P.S. Case No.221 of 2023 lodged under Sections 366A,
366, 120B, 376D/34 of the I.P.C. read with section 6 of the
POCSO Act.

3. As per the prosecution case, the F.I.R. has been
lodged against three named accused persons including the
petitioner against whom there is 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. He submits
that the alleged victim has been recovered and narrated her
statement under section 164 of then Cr.P.C. in which she has not
disclosed anything against the petitioner.

5. Counsel further submits that the petitioner is in
custody since 05.01.2024 having clean antecedent.

6. Counsel also submits that the other co-accused has



been granted bail by the Co-ordinate Bench of this Court vide order dated 18.04.2024 passed in Cr. Misc. No. 13465/2024.

7. Learned counsel for the State opposes the prayer for bail and submits that case diary and statement under section 164 of the Cr.P.C. before the Magistrate have been called for.

8. Upon perusal of the her statement, it transpires that the victim has not disclosed anything against the present petitioner and from the case diary, it transpires that the victim has refused for medical examination, but subsequently her medical examination took place and the age of the victim girl has been ascertained between 17-19 years and no sign of rape has been found.

9. In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail, **after framing of charge, if not framed**, on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge POCSO Act -cum- ADJ-VI, Kaimur at Bhabua in connection with Chand P.S. Case No.221 of 2023, subject to the following conditions as laid down under Section 437(3) of Cr.P.C.

Prakashmani/-

(Dr. Anshuman, J.)

U		T	
---	--	---	--

