

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31663 of 2024

Arising Out of PS. Case No.-15 Year-2020 Thana- CHANPATIA District- West Champaran

JITENDRA YADAV S/O DINESH YADAV R/O VILLAGE- BAROHIYA,
P.S- CHANPATIA, DISTT.- WEST CHAMPARAN, BETTIAH.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Deovind Kumar Singh, Advocate

For the Opposite Party/s : Ms. Usha Kumari 1, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 09-08-2024

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Chanpatiya P.S. Case no.15 of 2020 registered under sections 363, 366A and 34 of the Indian Penal Code, section 8 of the POCSO Act and sections 3(1)(r)(s)(w)(i), 3(2)(v)(va) of the SC/ST Act.

3. As per the prosecution case, the informant states that his 13 year old daughter was kidnapped for the purpose of marriage by the petitioner and others.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. Besides there being delay in lodging of the FIR, it is submitted that the statement of the daughter of the informant was recorded under section 164 Cr.P.C wherein she has not supported the prosecution case as stated in the FIR. She describes herself to be



aged 20 years and categorically states that she went out of her own freewill, married the petitioner and is living happily in her in-laws place. Learned counsel submits that the petitioner has no criminal antecedent and has remained in custody since 10.11.2023. Charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned A.P.P for the State.

6. Having heard learned counsel for the parties and having perused the material on record including the contents of the statement of the daughter of the informant recorded under section 164 Cr.P.C wherein she has not supported the prosecution case together with the petitioner having remained in custody since 10.11.2023 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Chanpatiya P.S. Case no.15 of 2020 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge- VI -cum-Special Judge, POCSO, West Champaran, Bettiah.

(Partha Sarthy, J)

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