

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35061 of 2024

Arising Out of PS. Case No.-492 Year-2022 Thana- CHANPATIA District- West Champaran

Amit Kumar Yadav @ Amit Yadav @ Amit Kumar Son of late Sohan Yadav
Resident of Village - Chanpatiya ward no -03, P.S. - Chanpatiya, District -
West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Tunna Kumar Yadav S/o Jata Yadav R/o Chanpatiya, ward no. 3, P.S. -
Chanpatiya, Distt.- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey
For the Opposite Party/s : Ms.Nirmala Kumari

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 25-09-2024 1. Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.
2. This application, for grant of anticipatory bail, arises out
of Chanpatiya Police Station Case No. 492 of 2022, dated
21.09.2022, disclosing offences punishable under Section
366 of the Indian Penal Code and Sections 12/17 of the
Prevention of Children from Sexual Offences Act, 2012.
3. The prosecution case, as per the First Information Report,
is that the petitioner, with the help of co-accused persons,
enticed away the minor sister of the informant.
4. Learned Counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in



this case. He further submits that the victim girl is major and has left her home out of her own sweet will and thereafter she solemnized marriage with the petitioner and has been blessed with a child. He further submits that the victim girl, in her statements, under Sections 161 and 164 of the Code of Criminal Procedure, 1973, has stated that she has left her home out of her own sweet will and has solemnized marriage with the petitioner without any pressure.

5. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the statements of the victim girl, recorded under Sections 161 and 164 of the Code of Criminal Procedure, 1973, I am inclined to grant the petitioner privilege of anticipatory bail.
6. This application is, accordingly, allowed.
7. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 6th Additional Sessions Judge -cum- Special Judge, POCSO, West Champaran, at Bettiah, in connection with



Chanpatiya Police Station Case No. 492 of 2022, subject
to the condition laid down under Section 438 (2) of the
Code of Criminal Procedure.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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