

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48607 of 2024

Arising Out of PS. Case No.-509 Year-2023 Thana- RAMNAGAR District- West Champaran

Rajan Yadav @ Rajan Kumar Son of Late Chandradeep Yadav @ Late
Chanardip Yadav R/O Village- Mudila, Ward No. 1, P.S.- Ramnagar, District-
West Champaran

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Father Of The Victim Barwa Banjariya Ward No 2 PS Ramnagar District
West Champaran
2. Father of the Victim Son of Oshier Miyan R/O Vill.- Barwa Banjariya, Ward
no.2, P.S.- Ramnagar, Dist.- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party : Mr. Md. Aslam Ansari, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 01-08-2024 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Ramnagar P.S Case No. 509/2023 dated 04.11.2023 registered for the offence punishable u/s 363 and 365 of the Indian Penal Code and Section 4 of the POCSO Act.

3. As per the prosecution case, unknown miscreants are alleged to have kidnapped the minor daughter of the informant.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. The victim in her statement recorded u/s 161 and 164 of the Cr.P.C. has stated that she was taken to Jammu by the petitioner and she was forced to eat intoxicated biscuits by the petitioner and the co-accused persons, Gopi Yadav and Saifullah Mian due to which she became unconscious and as soon as she got her consciousness, she found herself lying with the co-accused, Saifullah Mian, but *prima facie*, it seems to be improbable as the victim did not raise any alarm while she was being taken to Jammu. Learned counsel further submitted that there is nothing on record which shows that the victim was forced to have illicit intercourse or seduced with any person. The other co-accused person has already been granted bail by this court *vide* order dated 20.07.2024 passed in Cr. Misc. No. 43282/2024. The petitioner has five criminal antecedents as stated in para 3 of the bail petition. The petitioner is in custody since 02.05.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the petitioner was involved in kidnapping the minor daughter of the informant.

6. Considering the aforesaid facts and circumstances



of the case as well as the period of custody, the petitioner above-named, is directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Betiah, West Champaran in connection with Ramnagar P.S Case No. 509/2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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