

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49248 of 2023

Arising Out of PS. Case No.-128 Year-2023 Thana- KOTWA District- East Champaran

MOTILAL YADAV Son of Raghu Yadav Resident of village - Dipau, P.S. -
Kotwa, Distt. - East Champaran

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Abhishek Kumar, Adv. Mr. Ujjwal Kumar Singh, Adv.
For the Opposite Party/s :		Mr.Anil Kumar, APP

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

ORAL ORDER

5 24-01-2024 Learned counsel for the petitioner is permitted to
remove the defect(s), as pointed out by the office, if any, within
a period of three weeks from today.

2. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

3. The petitioner is apprehending his arrest in a case in
connection with Kotwa P.S. Case No. 128 of 2023 dated
05.04.2023 registered for the offence/s punishable u/ss 370, 371,
372(2), 373 of the Indian Penal Code, 8 of the POCSO Act, 75
and 79 J.J. Act, 3 / 4/5 /6 of the ITP Act and section 16, 17, 18
of the Bonded Labour System (Abolition Act 1976).

4. As per the prosecution case, It is alleged that the
petitioner and the co-accused persons are alleged to have



sexually abused the minor victim girls, who were illegally employed in the Orchestra musical group. It is further alleged that the petitioner was also indulged in holding the minor victim girls in dirty manner with sexual orientation.

5. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case. The victims in their statement recorded under section 164 of Cr. P.C. have stated that they came there for earning their livelihood and no illegal act was committed with them. The medical Board assessed the age of the victim girls more than 19 years. The petitioner is also accused in one more criminal case as stated at para 3 of the bail petition.

6. Learned A.P.P. for the State has vehemently opposed the anticipatory bail petition of the petitioner.

7. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, in the event of his arrest/surrender within a period of six weeks from today, 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 the learned court concerned, East Champaran at Motihari in connection with Kotwa P.S. Case No. 128 of 2023, subject to conditions as laid down under section 438(2) of



the Code of Criminal Procedure, with the following condition/s:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to cancelled.

(ii). If the petitioner is found involved in similar nature of offence in future, the prosecution will be at liberty to move for cancellation of his bail bond.

8. The application stands allowed.

(Chandra Prakash Singh, J)

guddukr/-

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

