

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51199 of 2024

Arising Out of PS. Case No.-38 Year-2024 Thana- BISFI District- Madhubani

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1. Pradeep Yadav S/O Uttim Yadav R/O Village- Keshvatol, P.S- Bisfi, And Distt.- Madhubani.
 2. Dilip Kumar Yadav @ Dilip Yadav S/O Uttim Yadav R/O Village- Keshvatol, P.S- Bisfi, And Distt.- Madhubani.

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR BIHAR
2. SHEELA DEVI W/O JEEBACHH MEHARA R/O- BAJRAHA, P.S- O.P. PATANHA, DISTT.- MADHUBANI.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ravi Prakash, Adv.
		Mr. Gagan Deo Yadav, Adv.
For the Opposite Party/s :		Mr.Usha Kumari 1, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 12-08-2024 Heard learned counsel for the petitioners and learned A.P.P for the State.

2. The petitioners have preferred this application for grant of regular bail in connection with Bisfi P.S. Case No. 38 of 2024 dated 04.02.2024 registered for the offences punishable u/ss 363, 366A read with Section 34 of the Indian Penal Code and Section 8 and 12 of the POCSO Act and Sections 3(i)(r), 3(i)(s) of the SC/ST Act.

3. As per the prosecution case, the petitioners and the co-accused persons are alleged to have kidnapped the minor



daughter of the informant.

4. Learned counsel for the petitioners have submitted that the petitioners are innocent and have falsely been implicated in this case. The occurrence took place on 12.06.2023 but the F.I.R. was lodged on 04.02.2024 and there is no explanation for this delay. The victim in her statement recorded under Section 164 of the Cr.P.C. has not taken the name of the petitioners in the alleged crime. It is further submitted that the petitioners have been made accused in this case only because the petitioner no. 1 is the father and the petitioner no. 2 is the uncle of the co-accused, Raushan Kumar Yadav. It is further submitted that no member of public was present at the relevant point of time of the incident and hence, no offence under provisions of SC/ST Act is made out against the petitioners. The petitioners have no concern with the alleged offence. The petitioners have one criminal antecedent as stated in para 3 of the bail petition. The petitioners are in custody since 03.06.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioners.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioners



above-named, are directed to be enlarged on bail on furnishing bail-bond of Rs.20,000/- (Rupees Twenty Thousand) each with two sureties of the like amount each to the satisfaction of learned Court concerned, Madhubani in connection with Bisfi P.S. Case No. 38 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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