

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60788 of 2024

Arising Out of PS. Case No.-106 Year-2023 Thana- BISFI District- Madhubani

Rajesh Yadav @ Rajesh Kumar, Male, aged about 20 years, S/o Ram Babu Yadav, R/o vill - Bakhuri, P.S. - Bisfi, Distt. - Madhubani.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Abhishek Anand, Advocate and Madhuri Kumari, Advocate
For the Opposite Party	:	Mr. Chandra Bhushan Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 01-10-2024 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Bisfi P.S. Case No. 106 of 2023 dated 03.04.2023 registered for the offences punishable under Sections 363 and 366A/34 of the I.P.C.

3. As per the prosecution case, the petitioner is alleged to have kidnapped the minor daughter of the informant with the assistance of the other co-accused persons for the purpose of marriage.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the alleged occurrence took place



on 20.03.2023 as to when the F.I.R. has been lodged on 03.04.2023 after lapse of 14 days and for the delay in lodging of the F.I.R., no explanation has been given by the prosecution. There was love affair between the parties and both are major. It is further submitted that the victim has been recovered and her statement under Section 164 of the Cr.P.C. has been recorded in which she has stated that no body had kidnapped her and she of her own will solemnized marriage with the petitioner and she wants to live with him. The victim was brought to Sadar Hospital, Madhubani where she and her father denied to be medically examined of the victim which would be apparent from paragraph no. 57 of the case diary. The victim was not forced/seduced to have intercourse with any other person. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 18.04.2024.

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

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 A.D.J.-VII-



cum-Special Judge (POCSO Court), Civil Court, Madhubani in
connection with Bisfi P.S. Case No. 106 of 2023.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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