

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77902 of 2023

Arising Out of PS. Case No.-928 Year-2022 Thana- MUFFASIL District- West Champaran

Lalu Yadav S/O Late Kailash Yadav R/O Village- Chhavani, P.S- Bettiah
(Town), Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Adv.

For the Opposite Party/s : Mr. Ram Sumiran Rai, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

7 09-09-2024 Heard learned counsel for the petitioner, informant
and learned APP for the State.

2. This is an application for regular bail on behalf of the petitioner for the offences alleged under Section 366(A) of the Indian Penal Code and Section 8 of the POCSO Act, registered in connection with Muffasil P.S. Case No. 928 of 2022.

3. As per prosecution case, the informant alleged that in his absence co-accused Amit Kumar had kidnapped her daughter.

4. The learned counsel for the petitioner has submitted that he has been falsely implicated in this case and has committed no offence. He submitted that petitioner is not named



in the FIR, as a matter of fact the victim has named this petitioner only with a view to save co-accused Amit Kumar with whom she had love affairs. Learned counsel for the petitioner by referring the statement made in paragraph no. 28 of the case diary submitted that co-accused Amit Kumar was in continuous contact with the victim on mobile phone and this fact has also been supported by the witnesses. Petitioner is in custody since 05.12.2022.

5. Learned APP for the State and learned counsel for the informant have opposed the prayer of bail by submitting that the petitioner was arrested with the victim on an *auto-ricksaw* to which learned counsel for the petitioner replies that he was co-passenger in that *auto-ricksaw* and when the police stopped he was started fleeing away but was arrested.

6. Considering the above facts and circumstances of the case and also the fact that the father of the victim specifically stated the complicity of co-accused Amit Kumar in the alleged occurrence as well as period of custody undergone by the petitioner, let the petitioner, above-named, 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 Additional District and Sessions Judge-6th-cum-Special



Judge POCSO, Bettiah, West Champaran in connection with Muffasil P.S. Case No. 928 of 2022, subject to the condition that the petitioner shall co-operate in the disposal of trial and make himself available as and when required by the Court.

7. The petitioner is directed to remain physically present on each and every date fixed by the Court below till the conclusion of the trial.

(Nawneet Kumar Pandey, J)

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