

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85386 of 2023

Arising Out of PS. Case No.-790 Year-2023 Thana- MADHEPURA District- Madhepura

1. Mahendra Yadav Son Of Late Kusumlal Yadav Resident Of Village - Bhajanpatti, P.S. - Sourbazar, District - Saharsa
2. Pandav Kumar Son Of Mahendra Yadav Resident Of Village - Bhajanpatti, P.S. - Sourbazar, District - Saharsa

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Singh

For the Opposite Party/s : Mr.Nand Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 03-04-2024 Heard learned counsel for the petitioners and learned
APP for the State.

The petitioners have prayed for grant of bail in connection with Madhepura P.S. Case No. 790 of 2023 registered under sections 363, 365, 366(A), 386, 506 and 120B of the Indian Penal Code and Section 8 of the POCSO Act.

As per the FIR, the informant alleged that the petitioners along with other co-accused person abducted her niece due to ulterior motives.

Learned counsel for the petitioners submits that the petitioner are innocent and have committed no offence. They



have falsely been implicated in this case. The petitioner No.1 and petitioner No.2 are father and brother of the main accused, Roshan Kumar and they have no concern with the alleged occurrence. It is further submitted that victim has not named the petitioners in her statement recorded under Section 164 of the Cr.P.C. Nothing consistent material has found against the petitioners. Similarly situated other co-accused person has already been granted bail by this Court vide order dated 11.01.2024 in Cr. Misc. No. 85989 of 2023. A statement has been made in para-3 of this petition that the petitioners have got no criminal antecedent. Moreover, they are languishing in judicial custody since 02.09.2023.

The application for bail is opposed by learned APP for the State.

Having heard learned counsel for the parties and considering the facts and circumstances of this case as well as the custody of the petitioners, the Court is inclined to enlarge the petitioners on bail. The above named petitioners are directed to be enlarged on bail in connection with Madhepura P.S. Case No. 790 of 2023 on each of them furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned



Additional Sessions Judge-VI-cum-Special Judge, POCSO,
Madhepura.

(Sunil Kumar Panwar, J)

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