

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2309 of 2024

Arising Out of PS. Case No.-276 Year-2023 Thana- SIKTI District- Araria

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Shambhu Yadav Ram Avtar Yadav Resident of Village- Manthaur, Ward No.-
02, P.S.- Basopatti, District- Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ravindra Singh, Advocate
For the Opposite Party/s : Mr. Pranav Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 3 16-04-2024 1. Heard learned counsel for the petitioner and
learned APP for the State.
2. The petitioner has preferred this application for
grant of regular bail in connection with Sikti P.S. Case no. 276
of 2023 registered under sections 363, 366A and 120B of the
Indian Penal Code and section 8 of the POCSO Act.
3. As per the prosecution case, the informant states
that his 17 year old daughter who had gone out did not return
and subsequently it transpired that Sujit Yadav as also his
brother and Narendra Narain Yadav have a hand in her
disappearance. On inquiry on telephone they disclosed that they
have his daughter in their custody and will not release her. He



states that he apprehends that she has been kidnapped for the purpose of marriage.

4. Learned counsel for the petitioner submits that the petitioner is not named in the F.I.R. He has been falsely implicated in the case only for the reason that he happens to be the brother-in-law of the F.I.R named accused Sujit Yadav. The only material which has come against this petitioner is that the daughter of the informant in her statement under section 164 Cr.P.C has stated that on being angered by the scolding of her father, she left on her own with Sujit Yadav for Nepal and on way had stopped at the house of this petitioner. The petitioner is in custody since 4.11.2023 and charge-sheet has been submitted in the case.

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

6. Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R, the material that has transpired in course of investigation including the statement of the victim under section 164 Cr.P.C, the petitioner having remained in custody for over 5 months since 4.11.2023 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection



with Sikti P.S. Case no. 276 of 2023, on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the Additional District Judge-VI-cum-Special Judge (POCSO), Araria.

(Partha Sarthy, J)

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