

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21296 of 2025

Arising Out of PS. Case No.-374 Year-2024 Thana- LAHERIYASARAI District- Darbhanga

Vijay Yadav @ Vijay Kumar Yadav S/o Jagdeo Yadav R/o Mohalla -
Ayachinagar, Benta, P.s- Leheriasaria, Distt.- Darbhanga

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Uday Kumar Mahto

For the Opposite Party/s : Mr. Ram Priya Sharan Singh

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 07-05-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Laherisaria P.S. Case No. 374 of 2024 dated 13.07.2024 registered for the offences punishable u/ss 323, 313, 376, 504, 354A, 506 read with section 34 of the IPC.

3. As per the prosecution case, the petitioner is alleged to have established physical relationship with the informant by enticing her. It is further alleged that the petitioner made her abortion done. It is also alleged that the petitioner along with the co-accused persons assaulted her and tried to sell her.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. As per the FIR, the occurrence took place on 11.02.2024 and the present case has been lodged on 13.07.2024 after the delay of five months. The victim is a major girl who knows the consequence of the act of the petitioner. Learned counsel has further submitted that the victim girl and the petitioner choose to have physical relationship on their own will. As per medical report, there is no fresh sign of sexual assault. Learned counsel for the petitioner placed reliance on the judgment in the case of **Mandar Deepak Pawar Vs. State of Maharashtra & Anr. (Criminal Appeal No. 442 of 2022)** in which “a distinction was made between a false promise to marriage which is given on understanding by the maker that it will be broken and a breach of promise which is made in good faith but subsequently not fulfilled”. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 18.10.2024.

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 Court concerned, Darbhanga in connection with Laherisaria P.S. Case No. 374 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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