

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.39684 of 2025**

Arising Out of PS. Case No.-48 Year-2013 Thana- SRINAGAR District- West Champaran

Daya Yadav S/O Chanchal Yadav Resident of Vill- Hardi, P.S.- Matiyariya,  
Dist- West Champaran. Presently Residing at Vill- Jamunapur, Dhirauli, P.S.-  
Patkhauli, Dist- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Birendra Yadav S/O Akalu Yadav R/O Vill.- Siswa Kutti, P.s.- Srinagar,  
Pujaha, Dist.- West Champaran. Presently R/at R/O Vill.- Bhawanipur P.s.-  
Srinagar, Pujaha, Dist.- West Champaran.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate

For the Opposite Party/s : Mr. Shailendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

6      15-09-2025      Heard learned counsel for the petitioner and learned APP  
for the State. Perused the case diary.

2.      The petitioner seeks bail in connection with  
Srinagar P.S. Case No. 48 of 2013 instituted for the offence  
under Sections 366A & 376 of the Indian Penal Code and  
Sections 4 & 6 of the POCSO Act.

3.      Prosecution case, in short, is that petitioner  
kidnapped daughter of informant due to informant's father-in-  
law refused to transfer land ownership in the petitioner's name.



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 24-03-2025. Petitioner bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. There is delay of 24 days in lodging the FIR. Informant is not the eye witness to the occurrence. Learned counsel for the petitioner submits that petitioner has solemnized marriage with the victim and two children are born out of wedlock.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Charge sheet has already been submitted in this case under Sections 366(A) & 376 of the IPC and Sections 4/6 of the POCSO Act. Learned APP lastly submits that offence is serious in nature, hence, petitioner does not deserve the privilege of bail.

7. Considering the aforesaid facts and circumstances of the case and taking into account the nature and gravity of the offence, this Court is not inclined to grant bail to the petitioner. Prayer is *rejected*.

8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and



unnecessary adjournments.

9. However, petitioner will be at liberty to renew his prayer for bail is the trial is not concluded within a period of five months from today.

**(Rudra Prakash Mishra, J)**

Raj Kishore/-

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