

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59099 of 2025

Arising Out of PS. Case No.-694 Year-2023 Thana- MAKHDUMPUR District- Jehanabad

Madan Lal Vyas @ Madan Lal Byas S/o Late Shankar Lal Byas R/o Village -
Ward no. 20, Brahman Mohalla, Deopura Nagar, Runija, P.S - Subasra,
District - Mansaur (M.P) - 458888

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Ajay Kumar S/o Raj Bellav Yadav R/o Village - Serathna, Tola - Salempur,
P.S - Kako, District - Jehanabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Alka Singh, Adv

For the Opposite Party/s : Mrs. Sharda Kumar, APP

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

ORAL ORDER

2 14-11-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. This is the Second attempt on behalf of the petitioner for grant of regular bail. Earlier, the prayer of the petitioner for grant of bail had been rejected by the co-ordinate Bench of this Court *vide* order dated 22.11.2024 passed in Cr. Misc. No. 19743 of 2024.

3. The petitioner has preferred this application for grant of regular bail in connection with Special POCSO Case No. 07 of 2024 arising out of Makhdumpur (Tehta O.P.) P.S. Case No. 694 of 2023 registered for the offences punishable u/ss 366-A read with section 34 of the Indian Penal Code and subsequently adding Sections 363, 366A, 365, 376, 376(3), 370(4), 372, 373 & 120(B) of the Indian Penal Code, Sections



4,6 & 8 of the POCSO Act, Sections 8 & 9 of the Prevention of Immoral Trafficking Act and Sections 9, 10 & 11 of the Prohibition of Child Marriage Act.

4. As per the prosecution case, on 03.11.2023 at about 08:00 a.m., the informant's daughter went her coaching institute at Serthua More to study but did not return. The informant along with others, started searching her daughter and during course of search, the informant came to know from various sources that one Akash Kumar and Ankit Kumar kidnapped his daughter with mala fide intention.

5. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the FIR. The name of the petitioner has sprung up in this case only on suspicion. During the course of investigation, it has transpired that the victim was having love affair with Akash Kumar and she used to talk to him through phone and meet him secretly. It is further submitted that the victim was not forced or seduced to have illicit intercourse with another person. Similarly situated co-accused persons have already been granted bail by this Court vide order dated 30.09.2024 passed in Cr. Misc. No. 37178 of 2024. The petitioner have no concern with the alleged



occurrence. The petitioner has clean criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 07.12.2023.

6. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

7. 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, Jehanabad, in connection with Special POCSO Case No. 07 of 2024 arising out of Makhdumpur (Tehta O.P.) P.S. Case No. 694 of 2023, with the conditions:-

(i) The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bond of the petitioner is liable to be cancelled.

8. Accordingly, the application stands allowed.

(Chandra Prakash Singh, J)

Jyoti/-

U		T	
---	--	---	--

