

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69852 of 2024

Arising Out of PS. Case No.-11 Year-2024 Thana- BAKHARPUR District- Bhagalpur

Vikash Yadav @ Vikash Kumar Yadav, Male, aged about 24 years, Son of
Fudal Yadav, Resident of Village- Madhuban Sonu Tola, P.S.- Barkhapur,
Distt.- Bhagalpur

... .. Petitioner

Versus

1. The State of Bihar
2. Dulari Devi, Wife of Etwari Yadav, Resident of Village- Madhuban Sonu
Tola, P.S.- Bakharapur, Distt.- Bhagalpur

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Pravin Kumar Sinha, Advocate
For the O.P. No. 2	:	Mr. Aakash Choudhary, Advocate
For the State	:	Mr. Umeshanand Pandit, A.P.P.

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

ORAL ORDER

4 19-02-2025 Heard learned counsel for the petitioner, learned
counsel for the opposite party no. 2 and learned A.P.P. for the
State.

2. The petitioner seeks bail in connection with POCSO
Case No. 135 of 2024, arising out of Bakharpur P.S. Case No.
11 of 2024 dated 17.04.2024 registered for the offences
punishable under Sections 363, 366A of the I.P.C. and Section 4
of the POCSO Act.

3. As per the prosecution case, the petitioner and the
other co-accused persons are alleged to have kidnapped the
minor daughter of the informant aged about 13 years for the



purpose of marriage.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. There was love affair between the parties. The victim has been recovered and her statement under Section 164 of the Cr.P.C., has been recorded in which she has stated that on 17.04.2024 she out of her own will went with the petitioner to Painti Bazar and solemnized marriage with the petitioner on the same day in the court. She in her further statement has stated that she with the petitioner stayed from 18.04.2024 to 20.04.2024 at Bahiyar. There was also physical establishment between them. Her statement under Section 161 of the Cr.P.C. has also been recorded in which she has stated that she loves the petitioner for two years and on 17.04.2024, she went with the petitioner of her own will without information given to her family members. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 21.04.2024.

5. Learned A.P.P. for the State and learned counsel for the opposite party no. 2 have vehemently opposed the prayer for bail petition of the petitioner and have further submitted that the petitioner alongwith other co-accused persons have kidnapped



the minor daughter of the informant and thereafter the petitioner solemnized marriage with the victim girl.

6. Considering the aforesaid facts and circumstances of the case, let the above named petitioner, 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 the learned POCSO Case No. 135 of 2024, arising out of Bakharpur P.S. Case No. 11 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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