

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67056 of 2024

Arising Out of PS. Case No.-68 Year-2024 Thana- MASAUDHI District- Patna

Mangal Yadav @ Hemant Kumar Son of Vijay Prasad @ Vijay Yadav
Resident of Village - Ganga Chak Malikana, P.S. - Masaurhi, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Deventi Wife of Late Dhanjay Paswan Resident of Village - Manichak, P.S. - Masaurhi, District- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satish Chandra

For the Opposite Party/s : Mr. Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 12-02-2025 1. Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 341, 323, 354(B), 363, 366(A) and 34 of the Indian Penal Code and Sections 3(1)(r)(s)(w)(2)(Va) of the SC/ST (P.O.A.) Act.

3. The learned counsel for the petitioner submits that the petitioner has antecedent of one case and in sum and substance, the allegation is that minor daughter of the informant was kidnapped by Jitendra Yadav along with the petitioner and Kallu Yadav with an intention to rape her. Further, when the



informant went to inquire about his minor daughter, the petitioner and Kallu Yadav abused her and threatened that if she comes again she will also be raped and also humiliated by taking her caste name.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case. It is next submitted that victim and Jitendra Yadav were in love and they eloped. It is also submitted that the daughter of of the informant came back and the informant married her to one Jacky Yadav on 15.07.2024. It is next submitted that petitioner, being brother in-law of Jitendra Yadav, came to be implicated in the instant case. It is also submitted that allegation under SC/ST (P.O.A.) Act is ornamental for the reason that the FIR does not even remotely suggest that abuse and threatening was given in public view.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees



Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VII-cum-Special Judge POCSO, Patna in connection with Special POCSO Case No.43 of 2024 arising out of Masaurhi P. S. Case No.68 of 2024, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

(Satyavrat Verma, J)

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