

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85419 of 2024

Arising Out of PS. Case No.-267 Year-2024 Thana- KOTWALI District- Patna

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Dipu Kumar Yadav @ Dipu Yadav S/o Lal Sundar Yadav, R/o Vill.- Phulthua,
P.S.- Simri, Dist.- Darbhanga.

... .. Petitioner

Versus

1. The State of Bihar.
2. Roshni Kumari D/o Mukesh Mandal, R/o Quarter No. 130/60 Servant room
Bailey Road, Hartali Mor, Patna.

... .. Opposite Parties

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Appearance :

For the Petitioner	:	Mr. Fahad Khurshid, Advocate
For the State	:	Mr. Arun Kumar, APP

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

ORAL ORDER

- 3 24-03-2025 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 Kotwali P.S. Case No. 267 of 2024, dated 21.04.2024 registered for the offences punishable under Section 363, 365 and 366A of the Indian Penal Code, under Section 4 of the POCSO Act and under Section 9 of Prohibition of Child Marriage Act, 2006.

3. As per the prosecution case, the informant's minor daughter went to school in the morning to collect her T.C., but she did not return back. The informant enquired everywhere but could not find his daughter and he suspects that the petitioner kidnapped his daughter.



4. Learned counsel for the petitioner submitted that the petitioner is innocent and has falsely been implicated in this case. It is further submitted that doctor has assessed the age of the victim about seventeen to nineteen years. It is further submitted that the victim in her statement recorded under Section 164 of the Cr.P.C. has stated that she had left her house and went to Noida with the petitioner out of her own free will. It is further submitted that petitioner and victim were in love and they have also solemnized marriage. It is further submitted that the petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. The petitioner is in custody since 02.08.2024.

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 Only) with two sureties of the like amount each to the satisfaction of learned Additional District Judge-VI-cum-Special Judge, POCSO, Patna, in connection with **Kotwali P.S. Case No. 267 of 2024**, on further condition:

(I) The petitioner is directed to remain physically



present before the learned trial Court on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner are liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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