

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.37676 of 2018

Arising Out of PS. Case No.-22 Year-2018 Thana- HAYAGHAT District- Darbhanga

Lalu Yadav, S/o Yogendra Yadav, Resident of Village Dhobopur Bansara,
P.S. Hayaghat, District- Darbhanga.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bijay Bhushan Prasad

For the Opposite Party/s : Mr. Sri Lakshmi Kant Sharma

CORAM: HONOURABLE MR. JUSTICE S. KUMAR
ORAL ORDER

3 07-09-2018 Heard learned counsel for the petitioner, learned
counsel for the State and learned counsel for the informant.

The petitioner, who is in custody, seeks bail in connection with POCSO G.R. Case No. 07 of 2018 arising out of Hayaghat P.S. Case No. 22 of 2018 registered for the offence punishable under Sections 341, 427, 376, 511, 323, 307, 504, 506, 379/34 of the Indian Penal Code and Section 8/18 of the POCSO Act.

Informant Kanchan Devi in her written complaint has stated that on 09.03.2018 at about 7.30 PM, she alongwith her niece Sonali Kumari aged about 12 years had gone to attend call of nature. In the meantime, two persons caught the hand of her niece and when she tried to save her niece then



petitioner (Lalu Yadav) caught her and pressed her mouth. Thereafter on hulla Shiv Shankar Yadav rushed to save his sister then petitioner assaulted him with iron rod causing head injury and he fell down. Thereafter the petitioner tied the neck of Shiv Shankar Yadav with rope with intention to kill him and snatched golden Hanumani from his neck and also threatened of dire consequence.

It has been submitted on behalf of the petitioner that he is innocent and has been falsely implicated in this case. It has been further submitted that petitioner and informant are of same family and there is property dispute between the parties and nature of injury is simple. It has further been submitted that petitioner has no criminal antecedent and he is in custody since 11.05.2018.

Learned Counsel for the informant has vehemently opposed the prayer for grant of regular bail to the petitioner.

Considering the aforesaid facts and circumstances of the case, let the petitioner named above be released on bail upon furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 1st Additional Sessions Judge-cum-Special Judge



(POCSO Act), Darbhanga, in connection with POCSO G.R. Case
No. 07 of 2018 arising out of Hayaghat P.S. Case No. 22 of 2018.

(S. Kumar, J)

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