

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.72090 of 2018

Arising Out of PS. Case No.-176 Year-2018 Thana- CHHAURADANO District- East
Champaran

=====

Tara Chandra Prasad, son of Gokhu Rai, resident of village – Ekdari, P.S. -
Chhauraoano, District – East Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Sri Anshu Dhar Sharma, Advocate

For the Opposite Party/s : Sri Manoj Kumar No. 1, A.P.P.

=====

CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

2 04-12-2018 Heard Sri Anshu Dhar Sharma, learned counsel for
the petitioner . None appeared on behalf of the State.

The sole petitioner who has been arrayed as one of
the accused in the F.I.R. apprehending his arrest in connection
with Chhauradano P.S. Case No. 176 of 2018 registered for
offence under Sections 341/323/ 354 (B) /379/ 34 of the Indian
Penal Code , 1860 , Section 8 /12 of the Protection of Children
From Sexual Offences Act, 2012 and Section 67 of the
Information Technology Act, 2000 has prayed for grant of bail
in the event of his arrest or surrender.

Learned counsel for the petitioner has drawn my



attention to the written report which is the basis of the F.I.R. to show that though alleged occurrence had taken place on 14.06.2018 however F.I.R. was lodged on 29.06.2018 without any plausible explanation. He further submits that petitioner is Driver in Food Corporation of India and on the alleged date of occurrence he was busy in loading un-loading on trucks and he was not having any connection with the said occurrence. He further submits that there is no eye witness to the occurrence and as such a prayer has been made for granting anticipatory bail.

Besides hearing I perused the materials available on record particularly the F.I.R. In the F.I.R. serious accusation has been made against the petitioner and other accused persons. In the F.I.R. it has also been alleged that after the accused persons had tried to outrage the modesty of the victim girl aged about 14 years videography was also done and she was threatened to pay ransom amount. So far delay in lodging of the F.I.R. is concerned, it appears that since at the time of occurrence videography was done and the victim was threatened, this may be a reason for belated lodging of the F.I.R. So far plea of driving vehicle of Food Corporation of India is concerned, in a case of direct accusation such point of alibi has got no



significance and F.I.R. itself indicates serious accusation. I do not find any ground to pass favourable order.

The prayer for grant of anticipatory bail stands dismissed.

(Rakesh Kumar, J)

praful/-

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

