

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 7477 of 2020**

Arising Out of PS. Case No.-77 Year-2019 Thana- MAHILA P.S. District- Sheikhpura

=====

AJEET YADAV S/o Bunde Yadav Resident of Village-Kabeerpur, P.S.-
Sheikhopursarai, District-Sheikhpura.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr Pankaj Kumar, Advocate

For the Opposite Party/s : Ms Madhuri Lata, APP

=====

CORAM: HONOURABLE MR JUSTICE MADHURESH PRASAD

ORAL ORDER

4 **10-07-2020** As of now, the Courts have not resumed normal physical hearing. The matter has been listed today for consideration through Video Conferencing.

Learned counsels are appearing and making submissions from their residence. The Court Master and Secretary are also part of this virtual Court proceedings with the aid of audio visual technology.

Heard learned counsel for the petitioner and the learned APP for State.

Petitioner apprehends arrest in connection with Sheikhpura Mahila Police Station (for brevity, *PS*) Case No 77 of 2019 dated 24.11.2019 instituted for the offence punishable under Section(s) 341, 354B, 447, 504, 506/34 of Indian Penal



Code and Section 8 of Prevention of Children from Sexual Offences (for brevity, *POCSO*) Act.

The prosecution case alleges that while the informant's daughter, aged about 14 years, was home alone, the petitioner entered her house, threw her daughter on the floor and attempted to outrage her modesty which was foiled by raising an alarm.

Petitioner's counsel submits that the prosecution party and the petitioner are agnates living next to each other and implication is based on subsisting family property dispute. In the entire investigation, there is no evidence collected to sustain the allegations. In fact, the prosecution is counterblast to Sheikhopursarai PS Case No 68 of 2019 lodged by the accused side. In fact, in the other case, the informant's party have sustained injuries also. Prior to this case, it is stated that the petitioner has no criminal antecedent.

The learned APP for the State has opposed the prayer for anticipatory bail.

Considering the aforesaid facts, prayer of petitioner for grant of anticipatory bail is allowed. In the event of surrender/arrest of the petitioner, named above, before the Court below, within four (04) weeks from today, he shall be released



on bail on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge I, Sheikhpura in connection with POCSO Case No 50 of 2019 arising out of Sheikhpura Mahila PS Case No 77 of 2019 subject to the conditions as laid down under Section 438 (2) of Criminal Procedure Code and also the following conditions:-

(i) That one of the bailors will be a close relative of the petitioner who will give an affidavit giving genealogy as to how he is related with the petitioner. The bailor will also undertake to inform the Court if there is any change in the address of the petitioner.

(ii) That the petitioner will be well represented on each date and if he fails to do so on two consecutive dates, his bail bond will be liable to be cancelled.

(Madhuresh Prasad, J)

M.E.H./-

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

