

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15974 of 2020

Arising Out of PS. Case No.-81 Year-2019 Thana- MAHILA P.S. District- Patna

RAMASHISH YADAV Son of Shiv Balak Yadav @ Shri Balak AT Present
Resident of Village - Udaan Tola, Infront of Panjab Natioanal Bank, P.S.-
Gardanibagh, Dist.-Patna, Present Resident of Village-Tulibigha P.S.-
Islampur,District-Nalanda

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Deepak Kumar Sinha

For the Opposite Party/s : Mr.Nagendra Prasad

**CORAM: HONOURABLE MR. JUSTICE RAJENDRA KUMAR
MISHRA**

ORAL ORDER

2 03-06-2020 Heard learned counsel for the petitioner and the
learned A.P.P. for the State through video conferencing.

The petitioner seeks bail in connection with Spl.
(POCSO) Case No. 135 of 2019, arising out of Mahila P.S.
Case No. 81 of 2019, registered under Sections 376 of the
Indian Penal Code and Section 6 of the POCSO Act.

The accusation is that after death of Dinesh
Goshwami, father of informant Kajal Kumari, Sushila Devi,
mother of informant was looking after to the informant and her
another daughter, in that course, petitioner also came in touch
to her mother Sushila Devi and he started residing in the
family, before one year petitioner committed wrong with her,
but due to fear, she did not disclose the matter to her mother,



but, petitioner again tried to outrage her modesty giving threatening not to disclose the matter to anyone. On 26.07.2019, petitioner asked her for wrong giving threatening then she disclosed the matter to her mother and thereafter came at Police Station.

Learned counsel for the petitioner submits that the statement of victim was recorded under Section 164 of Cr.P.C. on 30.07.2019 in which she has stated that the petitioner is her uncle and neighbour. She further states that one day, in the night, when she woke up for washroom then she, mistakenly, entered in the room of the petitioner, at that time, petitioner had only put his hand at her belly and nothing wrong was done by the petitioner with her. Further submission is that petitioner has no criminal antecedent and he is in custody since 25.01.2020 on surrender before the trial Court and on investigation, Police has submitted Chargesheet.

Having regard to the facts and the circumstances of the case, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs.10,000/-(Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Addl. District and Sessions Judge-I-cum- Special Court (POCSO), Patna in connection with Spl.



(POCSO) Case No. 135 of 2019, arising out of Mahila P.S. Case
No. 81 of 2019.

(Rajendra Kumar Mishra, J)

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