

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24212 of 2020

Arising Out of PS. Case No.-56 Year-2020 Thana- LODIPUR District- Bhagalpur

Gautam Kumar, aged about 25 years, Gender, Male, Son of Bijay Yadav,
Resident of Village - Gohariyo, P.S. - Lodipur, District - Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya, Advocate
For the State : Mr. Humayou Ahmad Khan, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 14-10-2020 Heard the parties through the virtual court proceeding.

Since physical court proceeding is not functioning due to present Pandemic Covid-19, the matter is listed with defect.

Learned counsel for the petitioner undertakes to remove the defect within three weeks of normal functioning of the court after the lockdown, failing which the office is directed to place the matter before the Bench.

The petitioner apprehends his arrest in connection with Lodipur P.S. Case No. 56 of 2020 registered for the offences punishable under Sections 341, 323, 354(A), 354(D) of the Indian Penal Code and Section 8 of POCSO Act.

As per the F.I.R., the petitioner along with co-accused teased the victim while she was returning after easying. On perusal of the statement of the victim girl under Section 164



Cr.P.C., it appears that she has fully supported the case of the prosecution.

Learned counsel for the petitioner submits that the petitioner is innocent and he has falsely been implicated in the case due to village politics. Learned counsel for the petitioner further submits that the petitioner has got no any criminal antecedent mentioned in paragraph-3 of the bail petition.

Learned A.P.P. for the State opposed the prayer for bail.

In the facts and circumstances of the case, I am not inclined to enlarge the petitioner on anticipatory bail. Accordingly, the prayer for bail in connection with Lodipur P.S. Case No.56 of 2020 pending in the court of learned Special Judge (POCSO), Bhagalpur is hereby rejected. However, the petitioner is directed to surrender before the court below and the learned court below shall pass the order on the same day without being prejudiced by this order.

(Anjani Kumar Sharan, J)

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