

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29711 of 2020

Arising Out of PS. Case No.-32 Year-2020 Thana- EAST COLONY District- Munger

SANJEEV YADAV @ SANJEEV KUMAR YADAV, aged about 32 years
(M), S/o- Katiman Yadav, R/o Mohalla- Tikiyapara, P.S.- East Colony,
District- Munger.

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner : M/S. Vikramdeo Singh and Mr. Pawan Kumar,
Advocates.

For the Opposite Party : Mr.

CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 10-11-2020 Due to COVID-19 Pandemic, the matter is being
taken up by way of virtual Court proceeding.

The matter has been listed under the heading 'For
Orders' under the orders of Hon'ble the Chief Justice.

Learned counsel for the petitioner is directed to
remove the defects, as pointed out by the office, within a period
of four weeks after restoration of normalcy.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks bail in a case for the offence
registered under Sections 448, 341, 323, 504, 506, 307, 509,
354(B), 379, 427/34 of the I.P.C. Later on, Sections 302 of the
I.P.C. and 8 of POCSO Act have also been added.



The prosecution story, in brief, is that on 01.05.2020 at about 6.00 P.M., the petitioner alongwith other accused persons came at the house of the informant and started abusing. When she objected, they started scattering the house hold articles and the co-accused caught the hand of her daughter Riya Kumari, aged about 17 years, with bad intention and also tried to molest her and due to same her clothes had been torn. When she went to save her daughter, co-accused pulled her *Saree* and assaulted her brutally, as a result of which, she sustained injuries and fell on the ground and became unconscious. The accused persons also caused injuries to Anil Ram and Ranjeet Yadav who tried to save the informant.

It has been submitted by learned counsel for the petitioner that the petitioner is in custody since 09.05.2020. The petitioner has got no criminal antecedent. Charge sheet has been submitted in the present case. There is no allegation of tampering with the witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case. Earlier the case was instituted for an offence under Section 307 and other allied Sections of the I.P.C. Later on, Sections 302 of the I.P.C and 8 of POCSO Act were also added. The alleged occurrence is said to have taken place on 01.05.2020 as to when



the case was instituted on 05.05.2020. Delay has not been explained by the prosecution. No specific overt act is alleged against the petitioner.

On behalf of the learned counsel for the State, it has been submitted that the petitioner is named in the F.I.R.

Considering the facts and circumstances of the case, the petitioner above named, is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-VI-cum-Exclusive Special Court (POCSO)Act, Munger, in connection with East Colony P.S. Case No. 32/2020.

(Sudhir Singh, J)

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