

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22975 of 2021

Arising Out of PS. Case No.-72 Year-2020 Thana- UPHARA District- Aurangabad

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DHANANJAY PASI Son of Baliram Pasi Resident of Village- Hamid Nagar,
Police Station- Upahara in the district of Aurangabad.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sunil Kumar

For the Opposite Party/s : Mr.A.PP

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA

ORAL ORDER

2 16-11-2021 Heard learned counsel for the petitioner and learned

counsel for the State.

Petitioner seeks bail in connection Upahara P.S. Case
no. 72 of 2020 registered for the offence punishable under
sections 341, 323, 354B, 504, 506/34 of the Indian Penal Code
read with section 8 of the POCSO Act.

Learned counsel for the petitioner submits that
petitioner is person with clean antecedent and is in custody
since 03.02.2021 and charge sheet has been submitted. Learned
counsel for the petitioner further submits that from perusal of
the allegation as alleged in the FIR, it would manifest that the
informant has alleged that on 11.10.2020 at about 1.30 p.m,
while his wife and daughter were cutting wood in Bandra
Bagicha then wife of the informant heard the cry of her
daughter, who was cutting wood at a little distance and when



she went there she saw that Virendra Yadav, Akhilesh Kumar and Dhananjay Pasi (petitioner) were trying to drag her towards forest with an intention to rape her and when wife of the informant shouted, all the accused persons fled away threatening to kill her, if she discloses about the incidence.

Learned counsel for the petitioner submits that petitioner is innocent and has been falsely implicated in this case and there is variation in 164 Cr.P.C statement or 161 Cr.P.C statement of the victim. Further, co-accused Birendra Yadav has been granted bail by this court vide order dated 29.4.2021 in Cr. Misc. no. 23876/2021.

Learned APP vehemently opposed the prayer for bail.

Considering the facts that petitioner is person with clean antecedent and co-accused has been granted bail by this court, the petitioner 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 Addl. District & Sessions Judge VI-cum- Special Exclusive Judge (POCSO), Aurangabad in Upahara P.S. Case no. 72 of 2020.

(Satyavrat Verma, J)

s.hassan/-

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