

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23538 of 2021**

Arising Out of PS. Case No.-165 Year-2020 Thana- FULKAHA District- Araria

ARBIND YADAV S/O BISUNDEO YADAV R/o village- Amrori, Ward No. 13, P.S.- Fulkaha, District- Araria

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Mrigendra Kumar, Advocate
For the Opposite Party/s : Mr.APP.

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER**

3 17-11-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Petitioner seeks bail in connection with Special (POCSO) Case No. 49 of 2020 arising out of Fulkaha P.S. Case No. 165 of 2020 registered for the offences punishable under Sections 354, 354(A), 354(B), 504, 506, 354(D) of the Indian Penal Code and Section 7/8 of the POCSO Act.

According to prosecution case, on 15.12.2020 at about 10:00 AM while the informant's daughter was returning to home from coaching institute, the petitioner forcibly caught her hand and started flirting with her. The informant further alleges that petitioner after putting his hand on shoulder of her daughter took video and made it viral.

Learned counsel for the petitioner submits that



petitioner is innocent and has committed no offence and he has falsely been implicated in the present case. Petitioner is next door neighbour of the informant and as a matter of fact, the present FIR has been lodged with a view to settle the personal grudge. Petitioner has no criminal antecedent and is in custody since 03.01.2021.

The learned Additional Public Prosecutor opposed the prayer of bail.

Considering the aforesaid facts and circumstances as well as submissions of the parties, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 6th Additional Sessions Judge cum Special Judge, POCSO, Araria in connection with Special (POCSO) Case No. 49 of 2020 arising out of Fulkaha P.S. Case No. 165 of 2020, subject to the following conditions:-

1. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.



2. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rajesh Kumar Verma, J)

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