

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6871 of 2021

Arising Out of PS. Case No.-438 Year-2020 Thana- SAHEBGANJ District- Muzaffarpur

VIKASH KUMAR SINGH Late Lal Babu Singh Resident of Village- Gaora,
P.S. Sahebganj, District- Muzaffarpur

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Nachiketa Jha, Advocate

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

2 14-12-2021 Heard Mr. Nachiketa Jha, learned Advocate for

the petitioner and Mr. Nand Kishore Prasad, learned APP

for the State.

The petitioner seeks bail in anticipation of his
arrest in connection with Sahebganj (Sahibganj) P.S.
Case No. 438 of 2020 dated 17.08.2020 instituted for
the offences under Sections 341, 342, 354(B) and 506
of the Indian Penal Code and Sections 3/4 of the POCSO
Act.

The accusation against the petitioner is of
making attempts at molesting the minor daughter of the
informant.



The learned counsel for the petitioner has submitted that there is a reason for falsely implicating the petitioner. There has been an old enmity between the respective families. Even the victim girl, in her statement under Section 164 Cr.P.C., has stated that apart from disrobing her, the petitioner did not do anything.

Learned counsel for the petitioner has further submitted that if there had been any intention of the petitioner to outrage the modesty of the victim girl, nothing had prevented him as according to the prosecution version, she had already been taken to a nearby bush.

Thus on this ground, he has urged that this is a case of false implication. There has been a delay of two days in the FIR seeing the light of the day.

Nonetheless, considering the nature of accusation against the petitioner, I am not inclined to grant anticipatory bail to him.



Accordingly, the prayer for anticipatory bail is rejected.

However, if the petitioner surrenders before the court below and seeks bail, the grounds noted above shall be taken into account and an order shall be passed in accordance with law without being prejudiced by the fact that the present petition on his behalf has not been entertained.

(Ashutosh Kumar, J)

krishna/-

U		T	
---	--	---	--

