

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8026 of 2021

Arising Out of PS. Case No.-25 Year-2020 Thana- SRINAGAR District- West Champaran

Nanhu Yadav Gender Male, aged about 65 years, Son of Sitaram Yadav
Resident of Village - Srinagar Nagina Yadav Ka Tola, Police Station -
Srinagar Pujaha, District - West Champaran.

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar No 7

For the Opposite Party/s : Smt. Suman Kumari Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3. 23-06-2021 Heard learned counsel for the parties through video conferencing.

The petitioner seeks bail in Srinagar Pujaha P.S. Case No. 25 of 2020, registered for the offence under Sections 341, 448, 376, 511 of the Indian Penal Code and Sections 7/8 of POCSO Act.

As per the prosecution case, while the daughter of the informant was alone in her house, this petitioner is said to have entered into the house and attempted to commit rape upon her.

It is submitted on behalf of petitioner that petitioner is co-villager and next door neighbour of the informant. It is further submitted that on 04.02.2020, the goats of informant were grazing the field of petitioner and those goats were handed over by the petitioner on the same day to Government Fathak and due to said enmity, petitioner has been falsely implicated in



this case. In fact, no such occurrence has taken place. Petitioner is an old man, aged about 65 years, and he is in custody since 14.10.2020. Chargesheet has already been submitted.

Learned A.P.P. for the State has opposed the bail petition.

Considering the rival submissions of the parties and the materials available on record, the bail petition of petitioner is allowed. Let the above named petitioner 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 learned Special Judge (POCSO) cum Additional District Judge, Bettiah, West Champaran in connection with Srinagar Pujaha P.S. Case No. 25 of 2020, on the following conditions:

“(1) Petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court below and shall remain physically present, as directed by the court below, 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.”

(Prabhat Kumar Singh, J.)

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