

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9722 of 2021

Arising Out of PS. Case No.-89 Year-2020 Thana- SACHIVALAYA District- Patna

JAY KRISHNA YADAV S/O LATE KAILU YADAV Resident Of Mohalla -
Khurda, P.S. - Kumar Khand, District - Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Virendra Kumar

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 19-07-2021 This matter is taken up for consideration through
Video Conferencing.

Heard learned counsel for the petitioner and the State.

The petitioner prays for grant of bail in Sachiwalaya
P.S. Case no. 89/2020 registered for the offence punishable
under section 376 of the Indian Penal Code and sections 8/12 of
POCSO Act.

As per prosecution case, this petitioner is alleged to
have committed unnatural sex on the minor daughter of the
informant.

It is submitted on behalf of the petitioner that
petitioner has been falsely implicated in this case due to dispute
between the parties. In fact, petitioner was working as home
guard in the quarter of the Chief Secretary and the informant



was also living inside the room of this petitioner. On a complaint filed by this petitioner, Secretary had taken action against the husband of the informant and due to this reason, informant filed false case against the petitioner. He further submits that girl was examined and doctor did not find any injury on the private part of the victim girl and as such no case under section 376 IPC or POCSO Act is made out. Petitioner has got clean antecedent and is in custody since 25.08.2020.

However, learned counsel for the State opposed the prayer for bail and submitted that victim girl in her 164 statement has supported the prosecution case.

Considering the rival submissions and nature of allegation and gravity of the offence, this bail application is rejected.

(Prabhat Kumar Singh, J)

s.hassan/-

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

