

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2107 of 2022

In
CRIMINAL APPEAL (SJ) No.1086 of 2021

Arising Out of PS. Case No.-682 Year-2020 Thana- MAJHAULIA District- West Champaran

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ARUN YADAV @ ARUN KUMAR YADAV Son of Mahendra Yadav
Resident of Village- Jag Yadav Ke Tola, Bakhariya, Ward No. 10, P.S.-
Majhauiliya, District- West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjay Kumar No.7, Advocate
For the Opposite Party/s : Mr.Raj Kishore Singh, APP

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

3 09-03-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Counsel for the petitioner is directed to remove the
defect(s), as pointed out by the office, within a period of four
weeks.

The petitioner is apprehending his arrest in a case
registered under Sections 448, 341, 323, 354A, 354B, 504, 506,
344 of the Indian Penal Code and Sections 8/18 of POCSO Act
and Sections 3(i)(r)(s), w(i)(ii) of Scheduled Caste and
Scheduled Tribe (Prevention of Atrocities) Act, 1989.

Allegation is that the petitioner sexually assaulted and
misbehaved with the informant and abused her by taking caste



name.

It has been submitted on behalf of the petitioner that the petitioner has got no criminal antecedent. There is no allegation of tampering of witnesses alleged against the petitioner. The petitioner has falsely been implicated in the present case due to village politics. From perusal of Annexure 3, it is evident that no injury is said to have been found on the body of the victim nor any sign of recent sexual assault has been found by the doctor in course of examination. The allegations are denied by the petitioner. The alleged occurrence has not taken place within public view. Hence no offence under the SC/ST Act is attracted in the present case.

On behalf of the State, it is submitted that the petitioner is named in the complaint case/F.I.R.

Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest/surrender before the learned court below within a period of twelve weeks from today, be released on anticipatory bail on furnishing bail bonds 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 and Sessions Judge 6th, Bettiah, West Champaran in connection with Majhauriya P.S.



case No.682 of 2020, subject to the conditions as laid down
under Section 438(2) of the Code of Criminal Procedure.

(Sudhir Singh, J)

Narendra/-

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