

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13625 of 2021

Arising Out of PS. Case No.-66 Year-2020 Thana- MAHILA PS District- Darbhanga

VIMLESH KUMAR VIMAL Son of Rajeshwar Pd @ Rajeshwari Laldeo
Resident of Village - Turki, P.S. - Baheri, District - Darbhanga.

... .. Petitioner/s

Versus

THE STATE OF BIHAR Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Singh, Sr. Advocate

Mr. Nilesh Sinha, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

CORAM: HONOURABLE MR. JUSTICE ASHUTOSH KUMAR
ORAL ORDER

3 01-04-2022 Heard Mr. Rajesh Kumar Singh, learned Senior Advocate for the petitioner and Mr. Nirmal Kumar Sinha, learned APP.

The petitioner seeks bail in anticipation of his arrest in connection with Mahila P.S. Case No. 66 of 2020 dated 15.10.2020 instituted for the offences under Sections 448, 354, 354(B) and 323 of the Indian Penal Code and Section 8 of the POCSO Act.

The petitioner is alleged to have scaled over the house of the prosecutrix and had made attempts to molest her.

It has been urged on behalf of the petitioner that the accusation is absolutely false. The reason ascribed for this submission is that there has been a delay of about 14 days in lodging the case and that also without any plausible explanation.



There is a dispute regarding exchange of money between the two families, as a result of which the present prosecution has been launched.

The petitioner had earlier filed an informatory petition before the Sub-Divisional Judicial Magistrate, Darbhanga, apprehending false implication at the hands of the informant and others. Even with respect to the minority of the victim, there is a dispute and the petitioner contends that she has falsely projected her age to add serious color to this case.

The entries in the case diary indicate that there is no dispute between the petitioner and the victim but there is a long standing dispute between the family with respect to money. Nothing otherwise has been reported in the investigation papers.

Taking into account the aforesaid facts, the provisional bail granted to the petitioner *vide* order dated 24.02.2022 is, hereby, confirmed.

The petitioner shall remain on the same bail bonds.

The application stands allowed and disposed of accordingly.

(Ashutosh Kumar, J)

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