

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4914 of 2022

Arising Out of PS. Case No.-371 Year-2020 Thana- MUFFASIL District- West Champaran

Satendra Mukhiya Son of Sri Dhela Mukhiya @ Dhela Raut @ Dela Raut
Resident of Village - Awaraiya, Tiwari Tola, P.S. - Bettiah Muffasil
(Banuchhapar), District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Umesh Chandra Verma, Advocate

For the Opposite Party/s : Mr. Zainul Abedin, App

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

2 08-06-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Bettiah Muffasil (Banuchhapar) P.S. Case No. 371 of 2020
instituted for the offences under Sections 323, 341, 354-A, 379,
506 and 34 of the Indian Penal Code and 18 of the Protection of
Children from Sexual Offences Act, 2012 (POCSO Act).

Learned counsel for the petitioner submits that the
petitioner is in custody since 12.10.2021, is a person with clean
antecedent and charge-sheet has been submitted in the case.

Learned counsel for the petitioner submits that
informant has alleged that when his daughter was going to
attend the call of nature, the accused Awadhesh Mukhiya who is



the petitioner's brother came and caught hold the hand of the victim and tried to drag her near the orchard. When the victim raise alarm, her brother came to rescue her but in the meantime petitioner and his another brother namely, Rajat Mukhiya armed with *lathi* came there and started assaulting the son of the informant with the intention to kill him. Later on villagers came there and save the victim and her brother. It is further alleged that the petitioner has snatched gold chain weighing about 06 grams and took out Rs. 2,000/- from his pocket.

Learned counsel for the petitioner further submits that due to previous enmity, this false case has been lodged against the accused persons.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.

Considering the fact that the petitioner is in custody since 12.10.2021, charge-sheet has been submitted in the case and the petitioner is a person with clean antecedent, let the petitioner above named be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned 6th Additional Sessions Judge-cum-Special Judge, under POCSO Act, West Champaran, Bettiah in connection with Bettiah



Muffasil (Banuchhapar) P.S. Case No. 371 of 2020.

(Khatim Reza, J)

Gaurav Kumar/-

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