

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5800 of 2022

Arising Out of PS. Case No.-526 Year-2020 Thana- BAIRIYA District- West Champaran

Brijesh Kumar S/O Dhuri Ram Resident Of Village- Tadhwanandpur, P.S.-
Bairiya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjeev Kumar

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

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 07-04-2022 Heard learned counsel for the parties.

The petitioner seeks bail in a case registered for the offence under Sections 341, 323, 354, 379, 504/34 of the Indian Penal Code and Section 8 of the POCSO Act.

As per the F.I.R., on 26.12.2020 at about 10:00 PM, while the informant alongwith his family members were sleeping in their rooms, this petitioner entered into the house of the informant, caught the informant's daughter in sleeping condition and tried to misbehave with her.

It is submitted on behalf of petitioner that petitioner has been falsely implicated in this case. The parties are neighbours and on litigating terms. It is further submitted that F.I.R. has been lodged after a delay of ten days and there is no plausible explanation of delay. Petitioner claims clean antecedent and he is in custody since 08.04.2021.



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

Considering the fact that F.I.R. was lodged after a delay of ten days without any explanation as well as clean antecedent and period of custody of petitioner, 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 7th Additional District & Sessions Judge-cum-Special Judge, (POCSO), Bettiah, West Champaran in connection with Bairiya P.S. Case No. 526 of 2020.

(Prabhat Kumar Singh, J)

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