

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13112 of 2022

Arising Out of PS. Case No.-37 Year-2021 Thana- MAHILA PS District- East Champaran

Sunarman Yadav Son of Late Jokhan Yadav Resident of Village- Tapasi
Parsauna, P.S.- Palanwa, District- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Pandey No.5

For the Opposite Party/s : Mr.Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 22-08-2022 Heard both parties.

The petitioner apprehends his arrest in Motihari Mahila P.S. Case No. 37 of 2021, registered for the offences punishable under Sections 376(D)(A), 354(B), 341, 323 and 34 of the Indian Penal Code and sections 4, 6 and 10 of the POCSO Act.

As per the prosecution case, this petitioner along with co-accused persons named in the FIR assaulted the husband and son of informant and got the accused released.

It is submitted on behalf of the petitioner that FIR has been lodged after delay of eight days without any explanation. As a matter of fact, daughter of the informant was in love with co-accused Arjun Sah which was being objected by the



informant side and petitioner tried to pacify the matter. It is further submitted that medical report of the victim girl does not support the allegation and there is no sign of sexual assault upon the victim girl. It is further submitted that for the same occurrence, three FIR was lodged and petitioner is accused in two FIR which was lodged by the father of victim girl.

Counsel for State opposed the prayer for bail and submitted that there is specific accusation against this petitioner of causing assault as a result of which father of victim died and got the accused released.

Considering the facts aforesaid and gravity of offence, I am not inclined to enlarge the petitioner above-named on anticipatory bail.

Accordingly, the prayer for anticipatory bail is rejected.

(Prabhat Kumar Singh, J)

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