

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18615 of 2022

Arising Out of PS. Case No.-377 Year-2021 Thana- CHAKIA District- East Champaran

JIYALAL SAH Son of Mahendra Sah Resident of Village - Lokaha, Ward No.
- 12, P.S.- Chakia, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Nawal Kishore Prasad

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 10-11-2022 Heard learned counsel for the petitioner and learned
APP for the State.

The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Chakia P.S. Case no. 377 of 2021 instituted for the offence under Sections 341, 323, 354(B) of the Indian Penal Code and Section 7/11 of the POCSO Act.

As per allegation in the FIR, on the allurements of providing sugarcane, petitioner had called her and tried to outrage her modesty. She narrated the whole story to her father and when her father visited to the petitioner's house for asking, he was beaten up by the accused persons.

Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no



offence. He has been falsely implicated in this case due to land dispute. The statement of the victim girl was not recorded in this case. Informant is not the eye witnesses. In para 26 of the cassette diary, witness Manoj Singh had negated the prosecution story. He has got no criminal antecedent.

Learned APP appearing for the State has opposed the prayer of Bail.

Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Chakia P.S. Case no. 377 of 2021, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-VII-cum-Special Judge, POCSO Act, East Champaran at Motihari subject to the conditions as laid down under section 438(2) of the Cr.P.C.

(Sunil Kumar Panwar, J)

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