

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28969 of 2022

Arising Out of PS. Case No.-47 Year-2021 Thana- MAHILA PS District- East Champaran

Shashi Bhushan Pandit Son Of Babu Lal Pandit R/O- Vill- Bhawanipur
Tekaha Ward No. 4, P.S.- Sangrampur, Dist.- East Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Madhurendra Kumar

For the Opposite Party/s : Ms.Madhuri Lata

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 26-09-2022 Heard both parties.

The petitioner apprehends his arrest in Motihari (Mahila) PS Case No. 47 of 2021 registered for the offences punishable under Section 354(B) and other allied sections of the Indian Penal Code and sections 7/8 of the POCSO Act.

As per the FIR, this petitioner committed sexual assault upon the informant (minor) and he was caught on the spot and mother of informant confined him to the house. It is further alleged that family members of the petitioner arrived at the place of occurrence, assaulted the mother of informant and the informant and forcibly took the petitioner with them.

It is submitted that FIR has been lodged after seven days of the occurrence. The doctor has not found any external injury on the person of informant. Petitioner has been falsely



implicated in this case and he has got clean antecedent.

However, counsel for State vehemently opposed the prayer for bail and submitted that there is specific allegation against this petitioner of commission of sexual assault upon the informant and thereafter, other co-accused persons assaulted the informant and her mother and forcibly got the petitioner freed from the clutch of mother of informant.

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

(Prabhat Kumar Singh, J)

vinita/-

U		T	
---	--	---	--

