

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52206 of 2021**

Arising Out of PS. Case No.-180 Year-2019 Thana- JAGDISHPUR District- Bhagalpur

LAL BIHARI YADAV S/O BINOD YADAV R/o village- Gonudham,
Tardiha, P.S.- Jagdishpur, District- Bhagalpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Jha, Advocate

For the Opposite Party/s : Mr. Dilip Kumar No. 1, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER**

2 12-05-2022 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor appearing for the State.

Petitioner seeks regular bail in connection with
POCSO Case No. 61/2019 arising out of Jagdishpur P.S. Case
No. 180/2019 registered for the offences punishable under
Sections 354(B), 341, 323, 504/34 of the Indian Penal Code
1860 and Section 8 of POCSO Act.

The prosecution story in brief is that on 3.6.2019 at
about 11:30 P.M. the petitioner entered into the house of the
informant and tried to outrage the modesty of the grand-
daughter of the informant aged about 12 years and upon noise,
the petitioner-accused fled away.

Learned counsel for the petitioner submits that the
petitioner has falsely been implicated in this case due to the fact



that a scuffle had taken place between the informant's side and the sister of the petitioner, for which, a complaint was filed by the sister of the petitioner (Annexure-2). The petitioner is in custody since 6.1.2021.

Referring to the supplementary affidavit learned counsel submits that during course of trial the statement of the victim girl as well as the informant have been recorded in which they have not supported the prosecution story.

Regards being had to the submission made by the parties and taking into consideration the materials on record, the deposition of the victim girl recorded during course of trial, I am inclined to grant regular bail to the petitioner.

Accordingly, let the petitioner, above named, be released on regular bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, POCSO Act cum Additional District and Sessions Judge-VI, Bhagalpur, in connection with POCSO Case No. 61/2019 arising out of Jagdishpur P.S. Case No. 180/2019.

(Anil Kumar Sinha, J)

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