

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51199 of 2021**

Arising Out of PS. Case No.-66 Year-2021 Thana- KHIJARSARAI District- Gaya

RAMASHISH YADAV @ RANJAN YADAV S/o MAHENDRA YADAV R/o
VILLAGE-MURARCHAK, P.S-KHIZERSARAI AND DISTRICT-GAYA.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manish Kumar No. 2, Advocate

For the Opposite Party/s : Ms. Usha Kumari 1, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER**

2 03-02-2022 Heard learned counsel for the petitioner and learned
A.P.P. for the State through virtual court proceedings.

Let the defect(s), if any, be removed within a period
of four weeks after complete start of the physical Court.

The petitioner seeks regular bail in connection with
POCSO Case No. 50 of 2021 arising out of Khizersarai P.S.
Case No. 66 of 2021 instituted for the offences under Sections
341, 323, 376, 511, 504, 506 of the Indian Penal Code, Sections
8 and 12 of the Protection of Children from Sexual Offences
Act, 2012 read with Sections 3(i)(r)(s)(w)(i) of the Scheduled
Castes and Scheduled Tribes (Prevention of Atrocities) Act,
1989.

Learned counsel for the petitioner submits that the
petitioner is in custody since 29.07.2021, is a person with clean
antecedent and charge-sheet has been submitted.



The informant alleges that in the night, the informant along with her daughters were sleeping in the house when this petitioner, who is in Bihar Police, came and tried to commit sexual assault with her daughter but her daughter raised Hulla on which the petitioner started abusing by taking caste name and fled away.

Learned counsel for the petitioner submits that from perusal of the allegation as alleged in the FIR, it would manifest that petitioner is alleged to have attempted to commit sexual assault but failed and thereafter it is alleged that he started abusing the informant and her family members by taking caste name.

Learned counsel for the petitioner submits that the victim was examined under Section 164 Cr.P.C. where she has not even remotely suggested with regard to any sexual abuse or any type of misbehaviour with her rather she has stated that petitioner caught her hand. Learned counsel further submits that informant has filed a compromise petition in the learned court below stating that she has not lodged the present first information report.

Learned A.P.P. for the State vehemently opposes the prayer for regular bail of the petitioner.



Considering the fact that the petitioner is in custody, is a person with clean antecedent, charge-sheet has been submitted and taking into consideration the submission made by the learned counsel for the petitioner, let the petitioner above named be released 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 & Sessions Judge-VII-cum-Exclusive Special Judge (POCSO Act), Gaya in connection with POCSO Case No. 50 of 2021 arising out of Khizersarai P.S. Case No. 66 of 2021.

(Satyavrat Verma, J)

Kundan/-

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

