

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43741 of 2022

Arising Out of PS. Case No.-67 Year-2022 Thana- NAUHATTA District- Rohtas

Jokhan @ Ashok Yadav @ Jokhan Yadav Son Of Late Ram Bachan Yadav
Resident Of Village - Belaunja, P.S.- Nauhatta, District - Rohtas.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shankar Kumar, Advocate
For the Opposite Party/s : Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

3 09-12-2022 The case is heard through video conferencing.

The learned counsel for the petitioner is directed to remove all the defects pointed out by the Stamp Reporter within one month.

Heard learned counsel for the petitioner and the learned APP for the State.

Petitioner seeks regular bail in connection with Nawhatta P.S. Case No. 67 of 2022 registered for the offences punishable under Sections 341, 323 and 354(B) of the Indian Penal Code and Section 4 of the POCSO Act.

As per the prosecution, this petitioner is alleged to have assaulted the informant's daughter and also tried to outrage her modesty.

The main submissions advanced by the learned counsel Mr. Shankar Kumar appearing for the petitioner are that



the instant case relates to an event of simple assault and no occurrence as alleged in the FIR took place and there is no any medical evidence in support of the allegation of having bitten on the cheek of the victim by this petitioner and all the witnesses examined during the investigation are relatives and interested and the petitioner has been languishing in jail since 18.06.2022 having clean antecedent.

Learned APP Mr. Dilip Kumar No. 1 appearing for the State has opposed the bail prayer.

Having regard to the facts and circumstances of this case, considering the above submissions and mainly the clean antecedent of the petitioner and his custody period and also the defence of the petitioner that there is no any medical evidence in support of the allegation of having bitten on the cheek of the victim by this petitioner, in the opinion of this Court a lenient approach can be taken in respect of the petitioner's prayer, let the petitioner be released on bail on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the concerned Court in connection with Nawhatta P.S. Case No. 67 of 2022.

(Shailendra Singh, J.)

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