

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52025 of 2021

Arising Out of PS. Case No.-220 Year-2021 Thana- PUPRI District- Sitamarhi

RAM HRIDAY MUKHIYA Son of Baldev Mukhiya Resident of Village -
Manikpur, P.S.- Pupri, District - Sitamarhi

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ashok Kumar Jha

For the Opposite Party/s : Mr.Sanjay Kumar Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 25-08-2022 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 Pupri P.S. Case no. 220 of 2021 instituted for the offence
punishable under Section 8 of POCSO Act.

As per allegation in the FIR, while minor daughter of
the informant had gone out at 8:00 p.m. for nature's call,
petitioner caught hold her hand and tried to drag her to a nearby
pond for wrongful act.

Learned counsel appearing on behalf of the petitioner
has submitted that petitioner is innocent and has committed no
offence. Both parties are neighbours and on inimical terms.
There is case and counter case. Only with a view to harass the



petitioner, the present false case has been lodged.

Learned APP appearing for the State has opposed the prayer of bail and submitted that during investigation several witnesses have supported the prosecution story.

Having heard learned counsel for the parties and taking into consideration that there is direct allegation against the petitioner, I am not inclined to grant bail to the petitioner and, as such, his application for bail is rejected.

However, if the petitioner surrenders and prays for regular bail, the same may be considered by the court below on its own merit without being prejudiced by this order of rejection.

(Sunil Kumar Panwar, J)

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