

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49333 of 2022

Arising Out of PS. Case No.-338 Year-2021 Thana- JAHANABAD District- Jehanabad

=====

SIDHNATH YADAV Son of Bhagerand @ Nand Keshwar Yadav Resident of
village - Mirchak Tola Gularia Bigha, P.S. and District - Jehanabad.

... .. Petitioner/s

Versus

The State of Bihar Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr.Neerad Parashar, Adv.

Mr. Rohit, Adv.

Mr. Aniket Kumar Thakur, Adv.

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

=====

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

2 23-12-2022 Heard the parties through video conferencing.

Petitioner seeks regular bail in connection with

Jehanabad P.S. Case No. 338 of 2021 registered under

Section 341, 323, 504, 506, 377 and 34 I.P.C. and Section

4/6 of the POCSO Act.

As per the allegation made in the F.I.R. on the date

of occurrence the son of the informant was sexually

assaulted by one Chandan Kumar, who committed unnatural

offence upon the minor boy aged about 05 years. It has

further been stated that when the father of the victim boy



went to the house of the petitioner to complain about the act of his son, the informant was assaulted by the petitioner.

Learned counsel for the petitioner submits that petitioner has not committed any offence in the manner alleged and from perusal of First Information Report it appears that the allegation of committing unnatural offence is upon the son of the petitioner. He next submits that F.I.R. is in two parts, the first part relates to allegation of commission of unnatural offence and the 2nd part is that petitioner assaulted the victim's father. Submission is that petitioner has falsely been implicated as a retaliation. The petitioner is in custody since 20.07.2022 and provisions of the POCSO Act is not applicable against him.

Regard being had to the submissions made by the parties, taking into consideration the materials available on record, the fact that there is no allegation of sexual assault upon the petitioner and he is custody since 20/07/2022, as such, I am inclined to grant regular bail to the petitioner.

Let the petitioner, above named, be released on regular bail on furnishing bail bond of Rs. 10000 /- (ten thousand) with two sureties of the like amount each to the



satisfaction of learned Additional Sessions Judge – VI-cum-Special Judge (POCSO) Act, Jehanabad in connection with Jehanabad P.S. Case No. 338 of 2021.

(Anil Kumar Sinha, J)

praful/-

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

