

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66964 of 2021

Arising Out of PS. Case No.-148 Year-2021 Thana- KUMAR KHAND District- Madhepura

Shambhu Yadav, S/o Dev Narayan Yadav @ Devu Yadav, R/o village-
Ranipatti, Ward No. 10, P.S.- Kumarkhand (Belari O.P.), District- Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad, Advocate

For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 29-06-2022 Heard learned counsel for the petitioner and learned
APP for the State.

Let the defect (s), as pointed out by the office, be removed within a period of four weeks from the date of resumption of physical filing and physical removal of defect.

In the present case, the petitioner seeks bail in connection with Kumarkhand (Belari OP) P.S. Case No. 148 of 2021 registered for the alleged offences under Section 354B of the Indian Penal Code and Section 8 of POCSO Act.

Allegedly, the petitioner took away the daughter of the informant towards 'Patua' field, tore her clothes and tried to outrage her modesty.

The learned counsel for the petitioner submits that the FIR has been registered after a delay of almost one day. The



petitioner has been falsely implicated in this case as he forbade the victim girl for plucking Lichi from his Lichi trees. None has seen the occurrence and nothing has come up during investigation against the petitioner for his involvement in the alleged crime. The petitioner is in custody since 17.06.2021.

Learned APP opposes the submission made on behalf of the petitioner. Learned APP submits that there is direct allegation against the petitioner that he tried to outrage the modesty of a minor girl.

Having regard to the submissions made hereinabove and considering the gravity of nature of allegation against the petitioner, I am not inclined to enlarge the petitioner on bail at this stage.

Accordingly, his prayer for bail is rejected.

However, if trial is not concluded within six months, the petitioner may renew his prayer for bail.

(Arun Kumar Jha, J)

V.K.Pandey/-

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