

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14294 of 2023

Arising Out of PS. Case No.-698 Year-2022 Thana- BRAHMPUR District- Buxar

Birendra Pandey S/O Ram Narayan Pandey R/O Village- Parsia, P.O- Parsia,
P.S- Brahampur, District- Buxar

... .. Petitioner/S

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Santosh Kumar

For the Opposite Party/s : Mr.Gulnar Begum

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

2 27-04-2023 Heard learned counsel for the petitioner,

learned counsel for the informant and learned APP for

the State.

The petitioner has filed the instant application

for grant of regular bail in a case registered for the

offences punishable under Sections 341, 323, 354(B)/34

of the Indian Penal Code and Section 12 of POCSO Act.

The allegation against petitioner and other co-

accused is that they outraged the modesty and assaulted

the minor daughter of the informant.

It is submitted by learned counsel for the

petitioner that the petitioner is innocent and he has



falsely been implicated in the present case. Both parties are agnates and there is dispute between them over drainage of water. There is case and counter case between the parties and both sides sustained injuries as alleged in separate occurrence. Moreover, the petitioner has sou-motto surrendered on 30.11.2022 and since then he is languishing in judicial custody. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State and learned counsel for the informant have vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Brahmpur (Chhakki O.P.) P.S. Case No. 698 of 2022 on furnishing bail bond of Rs.



10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District & Sessions Judge VI-cum-Special Judge, POCSO Act, Buxar.

(Sunil Kumar Panwar, J)

Nirajkrs/-

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