

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15495 of 2022

Arising Out of PS. Case No.-112 Year-2021 Thana- SIMRA District- West Champaran

Bipin Mishra Son Of Late Radhakant Mishra Resident Of Village - Singadi,
P.S.- Semra, District - West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 02-01-2023 Heard learned counsel for the petitioner 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 376, 511 of the Indian Penal Code and under Section 4, 8 of POCSO Act.

The prosecution case in nutshell is that petitioner has taken away the minor daughter of the informant into his home and locked the door from inside. It is further alleged that the petitioner kept the informant's daughter in his room at about 1 hour and



when he opened the door the daughter of the informant was crying and she disclosed that petitioner outraged her modesty.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case. It is also submitted that petitioner is languishing in judicial custody since 30-10-2021. It is further submitted that petitioner is an old person and just to grab his homestead land false case has been registered by his agnates with concocted allegations. From perusal of the medical report, it appears that there is no evidence of sexual activity with the victim. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent.

Learned APP appearing for the State has vehemently opposed the prayer for Bail.

Having heard learned counsel for the parties and taking into consideration the circumstances and



considering the age of the petitioner and judicial custody of the petitioner, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Semra P.S. Case No. 112 of 2021 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 VIIth-cum-Special Judge POCSO, Bettiah, West Champaran.

(Sunil Kumar Panwar, J)

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