

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26183 of 2023

Arising Out of PS. Case No.-192 Year-2022 Thana- SATHI District- West Champaran

1. JITENDRA YADAV @ JITENDRA KUMAR YADAV S/O BHARAT YADAV Resident of Village- Rai Barwa, P.S.- Sathi, District- West Champaran.
2. DIPU MISHRA @ DEEPAK KUMAR MISHRA S/O PREM NATH MISHRA Resident of Village- Sathi Ward No. 7 P.S.- Sathi, District- West Champaran.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiv Kumar Dwivedy
For the Opposite Party/s : Mr.Binod Kumar No. 3

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 10-08-2023 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend their arrest in a case registered for the offence punishable under Section 354(A), 354(B)/34 of the Indian Penal Code and u/s 6/8 of POCSO Act.

3. As per the prosecution case, these petitioners tried to outrage the modesty of the informant.

4. Learned counsel appearing for the petitioners submits that petitioners are innocent and have falsely been implicated in the case. It is further submitted that the alleged occurrence took place on 08/08/2022 but the FIR has been lodged on 09/09/2022 after lapse of one month without any



plausible explanation which itself creates doubt over the prosecution case. Petitioners have got clean antecedent.

5. Learned counsel appearing for the State opposes the prayer for anticipatory bail.

6. Considering the facts of the case, nature of accusation against the petitioners and the delay in lodging the FIR, let the petitioners, above named, in the event of their arrest/ surrender within a period of six weeks from today shall be enlarged on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Additional Sessions Judge-VII-cum- Special Judge, POCSO Act, West Champaran, Bettiah in connection with Sathi PS case No. 192/ 2022, subject to conditions laid down u/s 438(2) of the Cr. P. C.

(Prabhat Kumar Singh, J)

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