

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40824 of 2023

Arising Out of PS. Case No.-205 Year-2022 Thana- JAMHOR District- Aurangabad

Aklesh Mehta @ Akhilesh Mehta @ Akhilesh Kumar Son of Krishna Mehta
Resident of village - Sitarampur, P.S. - Jamhore, Distt. - Aurangabad

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Rahul Kumar Singh, Advocate

For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

2 14-07-2023 Heard learned counsel for the petitioner and learned
APP for the State.

Learned counsel for the petitioner is permitted to
correct the date of custody in paragraph 10 of the petition in the
course of the day.

The petitioner seeks bail in connection with Jamhore
P.S. Case No. 205 of 2022 registered for the offence punishable
under Sections 341, 323, 354-B and 504/34 of the Indian Penal
Code and Section 8 of Protection of Children from Sexual
Offences Act, 2012.

As per prosecution case, the accused petitioner along
with co-accused persons lifted the informant from the path
while she was going to bank and they have fastened her mouth



with her Dupatta, taken her on motorcycle to a lonely place near the bank river under the shed of bushes, they tried to molest her with bad intention, on alarm being raised, the accused persons fled away.

Learned counsel for the petitioner submits that due to enimity, altercation had taken place between the families of the informant and the petitioner with respect to distribution of canal water resulting in the petitioner being falsely implicated in the present case. It is also submitted that no specific overt act has been alleged against him. Petitioner has no criminal antecedent and he is languishing in jail custody since 25.04.2023. The petitioner is quite innocent and has committed no offence. Similarly situated co-accused person has been granted regular bail by a coordinate Bench of this Court in Cr. Misc. No. 58796 of 2022 vide order dated 06.01.2023.

Learned APP appearing for the State has opposed the prayer for regular bail of the petitioner.

Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, let the petitioner, above named, be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional



Sessions Judge-Cum-Special Exclusive Judge (POCSO)
Aurangabad, in connection with Jamhore P.S. Case No. 205 of
2022.

(Sunil Dutta Mishra, J)

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