

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43564 of 2022

Arising Out of PS. Case No.-28 Year-2021 Thana- MAHILA PS District- Gaya

DILIP YADAV S/o Jivan Yadav R/o village- Devanpur, P.S.- Sherghati,
District- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sunil Kumar Yadav, Advocate

For the Opposite Party/s : Mr.Amitesh Kumar, APP

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 31-01-2023 Heard the learned counsel for the
petitioner and the learned A.P.P. for the State.

The petitioner seeks regular bail in connection with Mahila P.S. Case No. 28 of 2021, registered for the offences punishable under Sections 341, 323, 307, 354, 379, 504, 506 and 34 of the Indian Penal Code and Sections 8/12 of the POCSO Act.

The petitioner is alleged to have entered the house of the informant and tried to outrage her modesty, however, on alarm being raised, her aunt and mother had arrived there, whereupon the petitioner had assaulted the mother of the



informant on her head by iron rod.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case, is having a clean antecedent and he is languishing in custody since 27.05.2022. The learned counsel for the petitioner has further submitted that the present case arises out of case and counter case and the fact is that the family members of the petitioner have also been injured in the alleged occurrence which has taken place on account of some disputes having arisen amongst the parties. It is also submitted that though the injury is on the head but the nature of injury has not been specified in the injury report as to whether it is simple or grievous.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials



available on record as also considering the fact that the present case arises out of case and counter case and the petitioner is having a clean antecedent, I deem it fit and proper to admit the petitioner to the privilege of bail.

Accordingly, the petitioner, above named, is directed to be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, POCSO court-cum-Additional District and Sessions Judge-VI, Gaya in connection with Mahila P.S. Case No. 28 of 2021.

(Mohit Kumar Shah, J)

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