

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44906 of 2022

Arising Out of PS. Case No.-54 Year-2022 Thana- GOPALPUR District- West Champaran

Rikesh Kumar @ Rakesh Kumar Son Of Dukhi Yadav @ Shri Vishun Yadav
Resident Of Village - Satgarahi, Police Station- Gopalpur, District - West
Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sachida Nand Rai

For the Opposite Party/s : Mr.Narsingh Tanti

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

3 10-01-2023 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 341, 323, 504, 506,
354(B) of the Indian Penal Code and Sections 8/12 of
the POCSO Act.

The prosecution case in nutshell is that while
the informant was going to Sareh, the petitioner pulled
her Dupatta and used filthy words against her. When the
father of informant went to the house of petitioner then



petitioner assaulted with Bamboo on his head, causing head injury. It is also alleged that when brother of informant was also assaulted by the petitioner.

It is submitted by learned counsel for the petitioner that the petitioner is innocent and he has falsely been implicated in the present case on the instance of informant's father, with whom a scuffle was made with the petitioner over a dispute of passage. It is also submitted that petitioner is languishing in judicial custody since 26.04.2022. It is further submitted that there is no eye witness of the alleged occurrence. The injury sustained by the father of the informant was simple in nature and caused by hard and blunt substance. It is further submitted that provision of Section 8 of POCSO is not attracted in the present case. 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 facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Gopalpur P.S. Case No. 54 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 Sessions Judge VI-cum-Special Judge (POCSO), Bettiah, West Champaran.

(Sunil Kumar Panwar, J)

nirajkrs/-

U		T	
---	--	---	--

