

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48275 of 2023

Arising Out of PS. Case No.-158 Year-2023 Thana- SIMRI District- Buxar

OMPRAKASH YADAV, Male, aged about 22 years, SON OF HARERAM YADAV, RESIDENT OF VILLAGE - SIMRI (DUDHI PATTI), P.S. - SIMRI, DISTRICT - BUXAR

... .. Petitioner/s

Versus

THE STATE OF BIHAR BIHAR, PATNA

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Aditya Nath Pandey, Advocate

For the Opposite Party/s : Mr.Dr.Mrityunjaya Kr.Gautam, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 03-08-2023 1. Heard learned counsel for the petitioner and the learned APP for the State.

2. Petitioner seeks regular bail in connection with Simri P.S. Case No. 158 of 2023 dated 19.05.2023 registered for the offence(s) punishable under Section(s) 452, 354(B), 504 and 506 of the Indian Penal Code and Section 8 of the POCSO Act.

3. The main submissions advanced by the learned counsel for the petitioner are that the petitioner is 22 years old and he and informant are agnates, no occurrence as alleged in the FIR took place, in fact the victim made the allegation narrated in the FIR in false impression on account of having realized the alleged incident having taken place with her in her



dreams and after realizing the said mistake the informant filed a compromise petition before the trial court, copy of which has been filed as Annexure 2, the petitioner has been languishing in jail since 20.05.2023 having fair and clean antecedent and against him, the investigation has been completed. Further submission is that the victim has been examined before the Judicial Magistrate under Section 164 Cr.P.C. in which she denied the commission of the alleged occurrence.

4. Learned APP appearing for the State has opposed the bail prayer.

5. Considering the above submissions and mainly the petitioner's young age as well as completion of investigation against him, in my opinion, it is a fit case for bail to the petitioner. Accordingly, let the petitioner named-above be enlarged on bail in connection with Simri P.S. Case No. 158 of 2023 on furnishing bail bond of Rs.10,000/-(Ten Thousand) with two sureties of the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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