

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47941 of 2022

Arising Out of PS. Case No.-16 Year-2022 Thana- MAHILA PS District- Jamui

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SUBODH KUMAR @ SUBODH YADAV Son of Late Yadunandan Prasad @
Jadu Yadav @ Yadu Nandan Yadav R/V- Sahora, P.s- Chandradip, Dist- Jamui

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Akshansh Ankit, Adv.

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

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 06-01-2023 Heard Mr. Akshansh Ankit, learned counsel for the

petitioner and the State through video conferencing in view of

the Covid-19.

The petitioner is apprehending arrest in connection
with Mahila (Jamui) P.S. Case No. 16 of 2022 instituted under
Sections 341, 354B/506/509 of the Indian Penal Code and
Section 8 of the POCSO Act.

As per the FIR, the informant alleged that when she
had gone to the 'Bahiyar' to cut grass, the petitioner came and
asked her to move in a secluded place. Accordingly, she
followed him where he tried to undress her and take advantage.
However, upon her 'hulla', the people gathered and the accused
fled away.

Learned counsel for the petitioner submits that a bare



perusal of the FIR would show that the incident she has narrated is of 11.3.2022 and the FIR was registered on 21.3.2022 and there is nothing on the record to show about this inordinate delay. It is his further submission that the petitioner has been implicated in this case merely due to the village politics as the petitioner comes from a respectable family. The last submission is that he do not have any criminal antecedent and is ready to abide by any terms and conditions imposed, if granted the relief.

Learned APP on the other hand opposes the prayer for anticipatory bail.

Taking into account the fact that there is inordinate delay of ten days in lodging the FIR without any explanation, the petitioner do not have any criminal antecedent, is ready to cooperate in the investigation and further will be visiting the police station for next six months every fortnight to mark his attendance, this Court is inclined to grant him relief.

Let the petitioner be released on bail, in the event of their arrest or surrender before the subordinate court within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each in connection with Mahila (Jamui) P.S. Case No. 16 of 2022 to the satisfaction of learned Additional



Sessions Judge-1, Jamui subject to the conditions as laid down
under Section 438(2) of the Cr.P.C.

(Rajiv Roy, J)

Ravi/Ajay
Singh/-

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