

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49491 of 2022

Arising Out of PS. Case No.-7 Year-2022 Thana- MAHILA P.S District- West Champaran

Parma Yadav Son of Harikishun Yadav, Resident of Village - Govinapur,
Ward No.13, P.S.- Chanpatiya, Distt.- West Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey, Advocate

For the Opposite Party/s : Mr.Binay Krishna, APP

CORAM: HONOURABLE MR. JUSTICE PURNENDU SINGH
ORAL ORDER

7 16-05-2023 The petitioner seeks pre-arrest bail in connection with Bettiah Mahila P.S.Case No.07/2022, registered for the offences punishable under Sections 341, 342, 354A, 354B, 323, 504, 506/34 of the Indian Penal Code and Sections 8 and 12 of POCSO Act and Sections 3(i)(r)(s)(w)/3(2)(v-a) of SC/ST (Prevention of Atrocities) Act.

Prosecution story, in brief, is that earlier one Babulal Yadav had outraged the modesty of niece of the informant, for which panchayat was called and the informant was tied with a pole.

Allegation against the petitioner is that he was one of the member of the panchayati.

The learned counsel appearing on behalf of the petitioner submits that the petitioner was one of the members of the Panchayat and he neither abused nor assaulted the informant nor any illegal act has been alleged against him that he was involved in subjecting any sort of torture or outraged the



modesty of the niece of the informant.

Learned APP for the State vehemently opposed the prayer for grant of pre-arrest bail. He further submits that the petitioner abused the informant by taking his caste name and thereafter all the members of the panchayat started abusing the informant by taking caste name of the informant.

Having considered rival submissions of the parties and the materials available on record, it appears that other accused who were also members of the said Panchayat have already been released on bail and considering the nature of the allegation made in the FIR against the petitioner, the petitioner is directed to be released on pre-arrest bail on the similar terms, in the event of his arrest or surrender before the court below within a period of four weeks from today, 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 cum ADJ 6th, Bettiah, West Champaran in connection with Bettiah Mahila P.S.Case No.07/2022, subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(Purnendu Singh, J)

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