

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64202 of 2022

Arising Out of PS. Case No.-53 Year-2022 Thana- BHAGWANGANJ District- Patna

Surendra Yadav @ Surendra Prasad Singh S/O Late Teza Yadav @ Taju
Yadav Resident Of Village- Bhusan Chak, Police Station- Bhagwanganj,
District- Patna

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.A.G

CORAM: HONOURABLE MR. JUSTICE SUNIL KUMAR PANWAR
ORAL ORDER

4 23-03-2023 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 connection with Bhagwanganj P.S. Case
No. 53 of 2022 registered under sections 376 and 511 of the
Indian Penal Code and Sections 4 and 8 of the POCSO Act.

Prosecution case relates to attempt of rape upon the
grand daughter of the informant by the petitioner.

Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence. He has
falsely been implicated in this case with false and concocted
allegations. He is an old man aged about 65 years. The victim
has not stated anything in her statement recorded under Section



164 of the Cr.P.C. rather on behalf of the victim, her grand mother explained about the prosecution case. It is further submitted that the informant is not the eye-witness of the alleged occurrence. It is also submitted that there is difference in the statement of 161 and 164 of the Cr.P.C. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. He is languishing in judicial custody since 27.05.2022.

The application for bail is vehemently opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case as well as the custody of the petitioner, the Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail in connection with Bhagwanganj P.S. Case No. 53 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-VII cum Exclusive Special Court (POCSO Act), Patna.

(Sunil Kumar Panwar, J)

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