

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62799 of 2022

Arising Out of PS. Case No.-178 Year-2021 Thana- CHANDI District- Bhojpur

VISHAL YADAV @ VISHAL KUMAR S/o Parmeshwar Yadav Resident of
village- Kosihan, P.S.- Chandi, District- Bhojpur

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shiv Prasad Gupta, Adv.

For the Opposite Party/s : Mr.Syed Ehteshamuddin, APP.

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 12-01-2023 Heard the parties.

The petitioner apprehends his arrest in a case registered for the offences punishable under Sections 341, 323, 379, 354 (A), 504, 506/34 of the Indian Penal Code and 08 of POCSO Act.

Allegedly, petitioner along with other accused persons came to the shop of informant with intention to take away articles from there. They pelted stones and bricks on his shop due to which his daughter sustained injuries. Petitioner is said to have committed obscene act with her daughter and torn her clothes.

It is submitted by learned counsel for the petitioner that petitioner is quite innocent and committed no offence. No such occurrence as alleged ever took place. He has been falsely implicated in this case due to previous enmity. There is



admitted land dispute between the parties. The name of the petitioner has been named in this case only on suspicion. It is further submitted that the alleged occurrence took place on 30.08.2021 and the FIR was lodged on 12.09.2021. There is delay in lodging of FIR without assigning plausible explanation, which creates serious doubt in prosecution case. Petitioner has no criminal antecedent as mentioned in para-3 of this application.

Learned APP for the State opposed the prayer for bail.

Having regard to the facts and circumstances of the case, since there is delay in lodging FIR, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, on furnishing bail bond of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Chandi P.S. Case No. 178 of 2021, subject to the condition as laid down under Section 438 (2) of the Cr.P.C.

(Anjani Kumar Sharan, J)

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