

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64737 of 2022

Arising Out of PS. Case No.-483 Year-2021 Thana- BARH District- Patna

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Rakesh Yadav @ Rakesh Kumar Son of Jawahar Yadav R/o- BhatGao, P.S.-
Barh, District- Patna

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Bihari Singh, Advocate

For the Opposite Party/s : Mr. Gulnar Begum, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 22-02-2023 Heard learned counsel appearing on behalf of the

petitioner and learned counsel appearing on behalf of the State.

Let the defect(s), if any, be removed within a period of

four weeks from today.

The petitioner seeks bail in connection with Barh P.S.

Case No. 483 of 2021 registered for the offence under Section

354(B) of the Indian Penal Code (for short 'I.P.C.') and 08 of the

POCSO Act.

The accused/petitioner is named in the F.I.R. and is in

custody since 16.09.2022.

The allegation against the petitioner is to outrage the

modesty of a minor girl, aged about 15 years, while she was



harvesting paddy in a field.

Learned counsel appearing on behalf of the petitioner submitted that petitioner was falsely implicated in present case due to local disputes and differences. It is also submitted that as some altercation took place between father of the informant and petitioner, therefore, present false case was lodged. It is also pointed out that informant herself is the author of F.I.R. but it is not appearing on its face that attempt was made by this petitioner with sexual intent. While concluding the argument, it has been submitted that petitioner is a man of clean antecedent and moreover, investigation has been completed, for which, charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

Learned APP for the State opposes the prayer of bail.

Considering the facts and circumstances as mentioned above, as sexual intent is not appearing on its face, from the narration of F.I.R. coupled with the fact that charge-sheet has already been submitted, let the petitioner, above named, is directed to be released on bail in connection with Barh P.S. Case No. 483 of 2021 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-VI-cum-Special Judge, POCSO,



Patna/concerned court, subject to the conditions as mentioned
under Section 437 (3) of the Cr.P.C.

(Chandra Shekhar Jha, J)

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