

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No. 67204 of 2022

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

Jhapsi Yadav Son of Bharat Yadav Resident of Village- Govinapur, Ward No.-
13, P.S.- Chanpatiya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

2 27-02-2023 Let the defect(s), if any, be removed within two weeks
from today.

Heard learned counsel for the petitioner and learned
A.P.P. for the State.

The petitioner seeks regular bail in connection with
Bettiah Mahila P.S. Case No. 7 of 2022 lodged under Sections
341, 342, 354(A), 354(B), 323, 504, 506, 34 of the I.P.C. read
with Sections 8 & 12 of POCSO Act, Sections 3(i)(r)(s)(w) and
Sections 3(2)(v-a) of SC/ST (Prevention of Atrocities) Act.

As per the prosecution case, the F.I.R. contains the
event of 2 days, i.e. 23.03.2022 and 24.03.2022. For the event of
23.03.2022, the petitioner's name is not there but for the event
of 24.03.2022, the name of petitioner is there that they all used
to abuse the informant by cast name. Thereafter, informant was
tied in a *Khamba* and when the informant's father and brother
came forward, then they were also subject to assault.

Learned counsel for the petitioner submits that from the contents of the F.I.R. itself, it transpires that for the event of 23.03.2022, a *Panchayati* was called and in the said *Panchayati*, both parties were gathered at the house of *Sarpanch*. Counsel submits that antecedent of the petitioner is clean and he is custody since 14.08.2022. He submits that petitioner of this case is one of the member of the said *Panchayat* and he has nothing to do with the allegations made in the F.I.R.

Learned counsel for the State opposes the prayer for bail.

In the present facts and circumstances of this case and the submissions made above, let the petitioner above named, be granted bail on furnishing bail bonds of Rs.30,000/- (Rupees Thirty thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge 6th cum Special Judge POCSO, Bettiah, West Champaran in connection with Bettiah Mahila P.S. Case No. 7 of 2022, subject to the conditions as laid down under Section 437(3) of Cr.P.C.

With this observation, the bail application stands allowed.

(Dr. Anshuman, J.)

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