

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21034 of 2024

Arising Out of PS. Case No.-85 Year-2023 Thana- JAMUI District- Jamui

1. Dilip Yadav @ Dilip Kumar Yadav, Son Of Ramdev Yadav,
 2. Pankaj Yadav @ Pankaj Kumar Yadav, Son of Ramdev Yadav
 3. Ravindra Yadav, Son of Chandradev Yadav
 4. Rohit Yadav @ Rohit Kumar Yadav, Son of Kamdeo Yadav
- All are residents of Village - Rajpura, P.S. and District - Jamui

... .. Petitioner/s

Versus

The State Of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jyoti Ranjan Jha, Advocate
For the Opposite Party/s : Mrs.Asha Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

2 04-04-2024 Heard learned counsel for the petitioners and learned
APP for the State.

2. In the present case, the petitioners are apprehending their arrest in connection with Jamui P.S. Case No. 85 of 2023, registered for the alleged offences under Sections 341, 354B, 354C, 504, 506 and 34 of the Indian Penal Code and Section 8 of POCSO Act.

3. As per prosecution case, co-accused Amit Yadav used to indulge in obscene act with the minor daughter of the informant and, on the fateful day, while the daughter of the informant was taking bath, he took photographs on his mobile phone and molested her. In this act, further photographs were



taken by the co-accused Guddu Yadav by his mobile phone. When the informant inquired from them about their act, they sent those photographs on the mobile phone of the informant and allegation against the petitioners is that they threatened the informant showing the photographs on their mobile phone and further all the accused persons made viral the photographs of the daughter of the informant through Facebook ID. They also threatened the informant that they would throw acid on the daughter of the informant.

4. The learned counsel for the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. There is no specific allegation of any wrong doing against the petitioners and only allegation is that they received photographs of the daughter of the informant on their mobile phones and further allegations are general and vague. The learned counsel further submits that there is counter version to the occurrence and Jamui P.S. Case No. 86/2023 has been lodged by one Kamdeo Yadav, father of the petitioner no.4, against the family members of the informant with allegation that the family members of the informant were involved in molesting the sister of the petitioner no.4 and they also took her photograph. In retaliation thereof, the present case has been



lodged and falsity of the present case is apparent from delay in lodging the FIR as the occurrence is stated to have taken place on 26.01.2023, but the FIR has been lodged on 09.02.2023. The learned counsel further submits that the petitioner no.1 is having antecedent of one criminal case, whereas other petitioners have got no criminal history.

5. Learned APP vehemently opposes the submissions made on behalf of the petitioners. The learned APP submits that though there is delay in lodging the FIR by the informant, but it appears that the petitioners' case is counterblast of the present case and has been filed to save their skin with similar allegation.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that there is no serious allegation against the petitioners unlike other two co-accused persons and further considering the possibility of false accusation, let the petitioners, above named, in the event of their arrest or surrender before the court concerned within a period of eight weeks from today, be released on bail, on furnishing bail bond of Rs. 10,000/- (twenty thousand) each with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-1, Jamui/court concerned, in connection with Jamui P.S. Case No. 85 of 2023,



subject to the conditions mentioned in Section 438(2) of the Cr.P.C. and the following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the court below, if so required by the learned trial court.

V.K.Pandey/-

(Arun Kumar Jha, J)

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