

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42180 of 2024

Arising Out of PS. Case No.-821 Year-2023 Thana- BHABHUA District- Kaimur (Bhabua)

Jamwant Singh Son Of Late Radhe Singh Village- Silouta, P.S.- Chand,
Distt.- Kaimur At Bhabua At Present Adress- Bhabua Bijali Colony On
Ranted House,P.S.- Bhabua, Distt- Kaimur At Bhabua Petitioner/s
Versus

1. The State Of Bihar
2. X R/O Village- Silauta, P.S.Chand, Distt- Kaimur At Bhabua At Present
Adress- Bhabua Bijali Colony On Rented House P.S- Bhabua, Distt- Kaimur
At Bhabua. ... Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajani Kant Pandey, Advocate
For the Opposite Party/s : Ms. Sharda Kumari, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 18-09-2024 Heard Mr Rajani Kant Pandey, learned counsel for the

petitioner and Ms. Sharda Kumari, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
23.12.2023 in connection with POCSO Case No.08 of 2024
arising out of Bhabhua P.S. Case No. 821 of 2023 F.I.R. dated
08.09.2023 registered for the offence punishable under Sections
376 of the Indian Penal Code and Section 7/8 POCSO Act and
later on added Section 6 of the POCSO Act vide order dated
19.09.2023.

3. Allegation against the petitioner is that he forcibly
committed sexual assault to the informant/victim.

4. Learned counsel appearing for the petitioner
submits that the petitioner has falsely been implicated in the
present case. In fact due to land dispute, the petitioner has been



implicated in the present case and the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. In fact the father-in-law of the petitioner wants to transfer the land in favour of the grand-father(maternal) and the petitioner is not ready to comply the direction of the informant and then he filed the present false case against the petitioner.

5. Learned APP for the State, on the other hand, has vehemently opposed the prayer the bail of the petitioner and submits that the allegation as alleged in the FIR is very serious in nature and apart from that, the statement of the victim under Section 164 Cr.P.C. was recorded in which she has fully supported the case of the prosecution.

6. Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with POCSO Case No.8 of 2024 arising out of Bhabhua P.S. Case No. 821 of 2023 pending in the court of learned court of Special Judge, POCSO Act cum ADJ- VI, Kaimur at Bhabhua.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Nitesh/-Harshita

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