

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43958 of 2024

Arising Out of PS. Case No.-5 Year-2024 Thana- MAHILA P.S. District- Sheikhpura

Tijendra Kumar S/o Shankar Mahto Resident of Village Kamalpur PS Mahuli
OP Ariyari District Sheikhpura Petitioner/s

Versus

1. The State of Bihar
2. Vandana Kumari D/o Bade Lal Mahto R/o vill - Kamalpur, P.S. - Mahuli
(OP), Ariyari, District - Sheikhpura Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sheo Nandan Prasad, Advocate
For the Informant	:	Mr. Pankaj Kumar, Advocate
For the Opposite Party/s	:	Mr. Zainul Abedin, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

3 18-09-2024 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner seeks regular bail in connection with
Sheikhpura Mahila Police Station Case No. 05 of 2024
registered for the offence punishable under Sections 376,
354(A), 504 and 506/34 of the IPC and Section 4 of the POCSO
Act.

3. As per the allegation in the FIR, it is a case of
threatening to the informant and her family members and he
made physical relation with the informant and also the petitioner
made video recording of the same.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. He further submits that the petitioner has no



concern with the aforesaid alleged occurrence. He further submits that the petitioner is in custody since 05.04.2024.

5. However, learned APP for the State vehemently opposed the prayer for regular bail.

6. On perusal of the FIR, medical report, case diary alongwith certificate issued by the Higher Secondary School, Seikhpura, Statement of the victim recorded under Section 164 of the Cr.P.C. and impugned order dated 27.04.2024, it appears that the FIR was registered against six accused persons including the present petitioner. It also appears that there is specific allegation of sexual assault since long time made against the petitioner. It appears from the Higher Secondary School Certificate that the date of birth of the victim is 12.10.2010 and according to the certificate she is aged about 14 years, so considering the serious allegation levelled against the petitioner, I am not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for regular bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

saaurabhkr/-

U		T	
---	--	---	--

