

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55583 of 2024

Arising Out of PS. Case No.-34 Year-2024 Thana- NAWANAGAR District- Buxar

Mintu Yadav, aged about 21 years (Male), S/o- Hira Lal Yadav, R/O Village- Kesath, P.S. Navanagar, Dist. Buxar.

... .. Petitioner

Versus

- 1. The State of Bihar.
- 2. Jyoti Kumari, D/o- Dindayal Prasad, R/O Village- Kesath, P.S.- Nawanagar, Dist-Buxar.

... .. Opposite Parties

Appearance :		
For the Petitioner	:	Mr. Akhilesh Pandey, Advocate
For the O.P. No. 2	:	Mr. Arun Kumar Gupta, Advocate
For the State	:	Mr. Anand Kishore Choudhary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 30-09-2024 This matter has been listed under the heading ‘For Orders (on office notes)’.

2. Perused the Letter No. 133/2024 dated 12.09.2024 sent by learned A.D.J.-VI-cum-Special Judge (POCSO Act), Buxar.

3. Heard learned counsel for the petitioner, learned counsel for the opposite party no. 2 and learned A.P.P. for the State.

4. The petitioner seeks bail in connection with Nawanagar P.S. Case No. 34 of 2024 dated 09.02.2024 registered for the offences punishable under Sections 323, 341, 354B, 504, 506 of the I.P.C. and Sections 8 and 12 of the



POCSO Act.

5. As per the prosecution case, on 09.02.2024 while the victim was going to coaching at 5.00 A.M., and as soon as, she reached near the *Bangla Pool*, the petitioner stopped her way and started making indecent behaviour after holding her hand. On being protested by her, she was abused and slapped by him and also threatened to kill her. She narrated the whole story to her parents and when her mother went to the house of the petitioner to make complain then she was misbehaved by the family members of the petitioner. It is further alleged that due to fear, the victim is neither going to the coaching nor the school. The petitioner always used to call her on mobile numbers 8757193227, 6203246557, 840984405, 9006713329, 95395363 and abused her.

6. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It is submitted that both parties are the co-villagers. There was love affair between the parties and when the family members of the victim came to know about it, they scolded her and tortured to file the present false case against the petitioner only with a view to teach lesson to him. The charge sheet has already been submitted against the petitioner. The



petitioner has one criminal antecedent in which he is on bail as stated in paragraph no. 3 of the bail application. The petitioner is in custody in this case since 21.02.2024.

7.Learned A.P.P. for the State and learned counsel for the opposite party no. 2 have vehemently opposed the prayer for bail of the petitioner.

8. Considering the aforesaid facts and circumstances of the case as well as the period of custody, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-VI, Buxar, in connection with Nawanagar P.S. Case No. 34 of 2024 with further condition:-

I. The petitioner is directed to remain physically present before the learned court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner is liable to be cancelled.

9. The application stands allowed.

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(Chandra Prakash Singh, J)

