

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6221 of 2024

Arising Out of PS. Case No.-310 Year-2023 Thana- SONO District- Jamui

GYANDEO YADAV S/O- LATE CHHOTAN YADAV R/O- VILL-
BAUTHA, PS- CHARKA PATHAR, DIST- JAMMUI.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pankaj Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Pushpa Sinha.1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

2 13-02-2024 Heard the parties.

2. The petitioner is apprehending his arrest in connection with Sono (Charka Pathar) P.S. Case No. 310 of 2023 for the offence under Sections 354(b) of the Indian Penal Code and 12 of the POCSO Act, lodged on 03.09.2023, by the informant, Chandni Kumari.

3. As per the prosecution story, the informant's mother was a cook in a school. On the day, the headmaster sent all the cooks to call the children and when the victim was cooking alone, he tried to outrage her modesty, she returned home and later reported to the villagers. Accordingly, the FIR.

4. Learned counsel for the petitioner submits that earlier the petitioner had lodged case vide Sono P.S Case No. 309 of 2023 against Mohan Yadav and Wakil Yadav and this is a



counterblast to the same. Further, in a busy public school, such kind of incident is/are not possible. The last submission is that he is ready to diligently cooperate in the investigation/appear in trial.

5. Learned APP opposes the prayer.

6. Taking into account the fact that there was a case earlier lodged by the petitioner, FIR has been lodged, he will have to face the trial and he do not have any criminal antecedent, this Court is inclined to extend him the privilege of anticipatory bail with conditions.

7. Let the petitioner be released on bail in the event of arrest or surrender within a period of four weeks from the receipt of this order, on furnishing bail bond of Rs. 10,000/- (Ten thousand) each with two sureties of like amount each to the satisfaction of learned Additional District Judge-1st, Jamui in connection with Sono (Charka Pathar) P.S. Case No. 310 of 2023 subject to the conditions as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his/her bona fide;

(ii) the petitioner shall appear on each and every date



before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark his attendance;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

8. With the aforesaid observations, the anticipatory bail application is allowed.

(Rajiv Roy, J)

Adnan/-

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