

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3917 of 2024

Arising Out of PS. Case No.-46 Year-2023 Thana- MAHILA PS District- Aurangabad

Sudarshan Yadav S/O Ashok Yadav Village- Kushaha,Ps. Deo, Dist. Aurangabad (Bihar)

... .. Petitioner/s

Versus

1. The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ranjit Kumar, Advocate
For the Opposite Party/s: Mr. Usha Kumari 1

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 09-04-2024 Heard learned Counsel for the petitioner, Mr. Ranjeet Kumar and learned Special P.P. for the State, Ms. Usha Kumari.

2. The petitioner apprehends his arrest in connection with Mahila P.S. Case No. 46 of 2023 for the offence registered under section 354 of the Indian Penal Code and Sections 3(i)(v) (s) of the SC/ST (POA) Act, 1989 and further Sections 8, 12 and 14 of the POCSO Act, 2012 lodged on 05.09.2023 by the informant, Munni Paswan.

3. As per the prosecution story, the complainant alleged that the victim girl, a minor, was in the school when this petitioner made obscene act and also tried to snatch her *dupatta* and when protested use the caste name, thereafter, present F.I.R.



has been lodged.

4. Learned Counsel for the petitioner submits that there is inordinate delay of 47 days as much as the alleged act is said to have been taken place on 10.06.2023 whereas the F.I.R. was lodged on 27.07.2023. The further submission of the learned counsel for the petitioner is that a public land has been encroached by the family which was objected by this petitioner which led to the case.

5. Learned Special P.P. for the State, on the other hand, points out that he has a criminal antecedent. Learned Special P.P. for the State further alleges that he had snapped the picture of the victim girl and along with abusing words, the photo was made viral.

6. Though, there is delay of 47 days in filing of the complaint that does not exonerate the petitioner from the allegation that has come against the victim girl who is a minor especially as per the allegation, her photo was made viral with abusive words. In that background, it would be appropriate that he seek bail.

7. Accordingly, the anticipatory bail stands rejected.

8. If the petitioner surrenders within four weeks from today, the Court concerned shall take into account the facts



aforesaid which has been submitted by the learned counsel for
the petitioner and dispose it preferably on the same day.

(Rajiv Roy, J)

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