

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64961 of 2024

Arising Out of PS. Case No.-164 Year-2024 Thana- LAXMIPUR District- Jamui

Vikash Kumar @ Bikki Sah, aged about 37 years, Male, Son of Late Krishna Sah, R/O Village- Najari, P.S.- Laxmipur, Dist- Jamui.

... .. Petitioner

Versus

- 1. The State of Bihar.
- 2. Ganauri Turi, Son of Late Jamuna Turi, R/O Village- Najari, P.S.- Laxmipur, Dist- Jamui.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Anuj Kumar, Advocate
For the O.P. No. 2	:	None.
For the State	:	Mrs. Sharda Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

4 18-02-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State. No one appears on behalf of the opposite party no. 2 despite registered cover notice personally received by her.

2. The petitioner seeks bail in connection with Laxmipur P.S. Case No. 164 of 2024 dated 10.05.2024 registered for the offences punishable under Sections 447, 341, 323, 504, 506, 354(a) and 354(b) of the I.P.C., Sections 3(1) (s), 3(1)(w)(i),3(1)(r) of the SC/ST Act and Section 8 of the POCSO Act.

3. As per the prosecution case, on 05.05.2024 at about 9.00 P.M., the petitioner entered the house of the informant and



tried to outrage the modesty of her daughter. On hulla, when the nearby people came there, the petitioner abused by calling his caste name and fled away from there.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that both parties are next door neighbours there is some dispute regarding passage in between the house of the petitioner and the informant. The alleged occurrence took place on 05.05.2024 as to when the F.I.R. has been lodged on 10.05.2024 and the delay in lodging of the F.I.R. has not been explained by the prosecution. It is submitted that it is simply a case of molestation. It is further submitted that the victim has denied to be medically examined before the Medical Officer. The victim in her statement recorded under Section 164 of the Cr.P.C., has stated that the petitioner is her neighbour and she knows him prior to the alleged occurrence and she also stated that the petitioner only caught her hand and said her caste name. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 30.05.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.



6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to 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 learned Additional Sessions Judge-Ist, Jamui in connection with Laxmipur P.S. Case No. 164 of 2024.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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