

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89669 of 2024

Arising Out of PS. Case No.-4 Year-2024 Thana- Tilak Rai Ka Hata District- Buxar

Vishal Yadav S/o Bachchaji Yadav Resident of village- Manikpur, PS- Simri,
District- Buxar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Dwarika Yadav S/o Late Ramdev Yadav R/o vill - Manikpur, P.s.- Tilak Rai
Ke Hata, Distt.- Buxar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Pradhan, Adv

For the Opposite Party/s : Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 07-05-2025 Heard learned Counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Tilak Rai ka Hata P.S. Case No. 04 of 2024 registered for the offences punishable u/s 331(2) and 76 of the B.N.S. and under Section 8 and 12 of the POCSO Act.

3. As per the prosecution case, on 11.09.2024, the petitioner had entered the house of the informant and tried to molest his daughter, who was a 12 years old girl.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in



this case due to personal rivalry between the parties as the victim's family and the petitioner are agnates. It is further submitted that the victim girl in her statement made under Section 183 of the B.N.S.S., the story as alleged in the FIR, was modified and it has also been alleged that the petitioner was trying to tore the clothes of the victim girl. It is lastly submitted that the petitioner has one criminal antecedent and is in custody since 11.09.2024.

5. Learned APP for the State has vehemently opposed the prayer for bail and has stated that there is an allegation against the petitioner, who has molested the minor girl, hence, he does not deserve the liberty of bail.

6. Considering the aforesaid submissions of the parties and taking into account the fact that there is no specific averment of the petitioner making sexual assault on the said victim girl and also the fact that the victim girl refused to conduct her medical examination coupled with the fact that the petitioner is in custody since 11.09.2024, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Buxar in connection with Tilak Rai ka Hata P.S. Case No. 04 of



2024.

7. The application stands allowed.

(Sourendra Pandey, J)

Jyoti/-

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

