

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90189 of 2024

Arising Out of PS. Case No.-105 Year-2024 Thana- ROSHANGANJ District- Gaya

Phoolchand Yadav Son of Bajarangi Yadav Resident Of Village- Makda,
Chaugain, PS- Rousanganj, Distt.- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ritu Devi Wife of Krisna yadav village- Magdha, Ps- Rousanganj, Dist-
Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Nityanand Neeraj
For the Opposite Party/s : Mr.Md. Ataur Rahman

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 01-07-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner apprehends his arrest in a case registered for offence punishable under Sections 126(2), 115(2), 351(2), 76 of the B.N.S. and Section 8 / 12 of the POCSO Act.

3. As per prosecution story, while the victim was alone in the forest, this petitioner caught hand of victim and touched her inappropriately and when victim raised alarm, the petitioner escaped giving her threat not to disclose the ordeal to anyone.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in this case due to village



politics. He next submits that F.I.R. has been lodged after a delay of six days and there is no plausible explanation of delay.

5. However, learned A.P.P. for the State vehemently opposes the prayer for anticipatory bail and submits that petitioner is named in the F.I.R. with specific accusation that he caught the hand of victim and touched her inappropriately. During investigation, the informant, who is none else but mother of the victim and many witnesses have supported the prosecution case. The victim, in her statement recorded under Section 183 B.N.S.S., has also stated that petitioner rubbed the breast of the victim.

6. Considering the nature of accusation, the prayer for anticipatory bail of petitioner is rejected.

(Prabhat Kumar Singh, J)

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