

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66114 of 2025

Arising Out of PS. Case No.-65 Year-2023 Thana- MAHILA PS District- Buxar

Daya Shankar Yadav @ Daya Shankar Singh S/O Late Kishor Yadav @
Kishor Singh R/O Village- Goppur, P.S.- Sikraul, Distt.- Buxar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chandani Kumari D/O Shri Lallanbari R/O Village- Goppur, P.S.- Sikraul,
Distt.- Buxar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramakant Yadav

For the Opposite Party/s : Mr.Lalan Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 31-01-2026 Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection with Buxar Mahila P.S. Case No. 65 of 2023, registered for the offences punishable under Sections 341, 354(B), 323, 506, 509/34 of the IPC and Sections 8, 10 and 12 of the POCSO Act.

3. The case of the prosecution, in brief, is that the informant/victim filed the FIR stating therein that on 19.11.2023, at around 07:00 P.M., when the informant had gone to *Shokha Dham* to perform Chhath Puja and had gone to attend the call of nature, in the meantime, six accused persons, including the petitioner, came there and at the point of a pistol, threatened to kill the informant. It is further alleged that the petitioner outraged the modesty of the victim and also made a video of the incident.



4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. He has further submitted that the petitioner and the informant are co-villagers, and due to dirty village politics, the petitioner has been implicated in this case. He has also submitted that the petitioner is a person of clean antecedent and has been in custody since 01.08.2025.

5. On the other hand, the learned APP for the State, by drawing my attention towards the victim's statement recorded under Section 164 of the CrPC, has submitted that on the occasion of Chhath Puja, the victim had gone to the temple with her mother. After some time, she went aside for urination, where 6–7 accused persons, amongst whom she identified the petitioner and co-accused Dharmendra Yadav, forcibly caught hold of her, gagged her mouth and, after pointing a pistol at her temporal region, they prepared a video clip of the indecent act.

6. The victim has fully supported the occurrence and the indecent act committed by the petitioner. He is named in the FIR.

7. In my view, the petitioner does not deserve the privileges of bail, which is hereby *rejected*.

(Nawneet Kumar Pandey, J)

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