

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1417 of 2025

Arising Out of PS. Case No.-28 Year-2024 Thana- MAHILA P.S. District- Sheohar

Chhotan Baitha S/o Late Binod Baitha R/o Village-Kuama ,P.S.-Piprahi,
District-Sheohar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sangeela Kumari D/o Dhukhan Ram R/o Village- Kuama ,P.S.-Piprahi,
District-Sheohar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vijay Shankar Shrivastava, Advocate
For the Opposite Party/s	:	Mr. Satyendra Narayan Singh, APP
For the Informant	:	Mr. Lokesh Kumar, Advocate
		Mr. Aman Kumar, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 08-04-2025 Heard learned counsel for the petitioner, learned

APP for the State, learned counsel for the informant and perused

the case diary.

2. The petitioner seeks bail in connection with

Sheohar Mahila P.S. Case No. 28 of 2024, instituted for the

offences punishable under Sections 376, 506 of the Indian Penal

Code read with Sections 4 and 6 of POCSO Act.

3. The prosecution case, in short, is that, the petitioner

sexually assaulted the informant and made a video of the same.

It is further alleged that the petitioner also threatened her of

making the video viral if she discloses the incident to anybody.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Learned counsel for the petitioner also submits that there is delay of six months in lodging the FIR. The petitioner is next door neighbour of the informant and there is previous land dispute and enmity existing between the parties. It is further submitted that there is no any eye witness of the said occurrence. The petitioner is in custody since 07.08.2024 and has got no criminal antecedent.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner and submitted that on perusal of paragraph nos. 4, 5 and 6 of the case diary, it appears that witnesses have supported the prosecution case. It is further submitted that the victim in her statement recorded under Section 183 of the Bharatiya Nyaya Sanhita, 2023 has levelled specific allegation against the petitioner of establishing physical relation with her and making video of the same. Hence, the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence,



this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected at this stage. The trial Court is directed to expedite the Trial expeditiously.

(Rudra Prakash Mishra, J)

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