

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6660 of 2025

Arising Out of PS. Case No.-325 Year-2024 Thana- BATHNAHA District- Sitamarhi

Rupesh Rai @ Rupesh Kumar @ Rupesh Rai Yadav S/o- Suresh Rai @
Suresh Ray Resident of Village- Majhgama, P S.- Bathnaha, Dist- Sitamarhi
... .. Petitioner/s

Versus

1. The State of Bihar
2. Anjali Kumari D/o- Jageshwar Rai R/o Village- Majhgama PS- Bathnaha
Dist- Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Jha, Advocate
For the Opposite Party/s : Mr. Yogendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 19-03-2025 Heard learned counsel for the petitioner and Mr.
Yogendra Kumar Singh, learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 126(2), 115(2), 74, 76, 352, 351 (2), 351(3), 3 (5) B.N.S. and Section 12 of the POCSO Act.

3. The case of the prosecution is that while the victim, aged about 14 years, returning the house of her uncle, the petitioner along with others were present there. It is further alleged that Amresh Kumar caught her hand and tried to pull her and Rupesh Kumar pulled her '*dupatta*'. It is further alleged that Amresh Kumar put the front wheel of the bike on the stomach of the victim, however, when alarm was being raised, her aunt and cousin sister came there to rescue her. It is further alleged that accused persons abused and assaulted them as well.



4. During the course of the argument, learned counsel for the petitioner submit that the occurrence is of 06.07.2024 where as the FIR has been lodged on 19.07.2024. There is delay of 13 days in lodging of the FIR. It has also been argued by the learned counsel for the petitioner that the petitioner and the informant are next door neighbours and he has been falsely implicated in connection with the present case. The petitioner is in custody since 16.11.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bathnaha P.S. Case No. 325 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge VI-cum-Special Judge, POCSO Act, Sitamarhi.

(Ashok Kumar Pandey, J)

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