

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6290 of 2025

Arising Out of PS. Case No.-47 Year-2024 Thana- SHIVAJINAGAR District- Samastipur

Ram Ratan Sah Son of Butan Sah Village-Bharariya, P.S. -Rosera, District
-Samastipur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vinay Rathore Son of Damodar Das village- Thana Chowk, H/o Ram Ratan Sah, Ps- Shivajinagar, Dist- Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N. K. Agrawal, Sr. Advocate
		Mr. Vijay Anand, Advocate
For the Opposite Party/s	:	Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 14-05-2025 Heard learned senior counsel for the petitioner and
learned APP for the State.

02. In the present case, the petitioner seeks bail in connection with Shivaji Nagar P.S. Case No. 47 of 2024, registered on 02.10.2024, for the alleged offences under Sections 65/62 of Bharatiya Nyaya Sanhita, 2023 and Section 06/18 of POCSO Act.

03. As per prosecution case, the petitioner molested the minor daughter of the informant and inappropriately touched her private parts after removing her pant.

04. Learned senior counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in



this case. The petitioner has not committed any offence. The FIR has been lodged after delay of 23 hours and there is no satisfactory explanation for the same. The family of the petitioner stays in the same house in which the family of the victim resides as tenant. Some dispute arose over payment of rent and this false case has been lodged. The victim was examined by a doctor and nothing wrong was observed in the medical examination. Learned senior counsel further submits that the police has investigated the matter and submitted charge-sheet against the petitioner and there is no need to keep the petitioner behind the bar and there is no chance of tempering with the evidence. Learned senior counsel further submits that the petitioner has got no criminal antecedent and he is in custody since 03.10.2024

05. Learned APP for the State opposes the submission made on behalf of the petitioner. Learned APP submits that the petitioner has shown perversity in molesting a girl who is aged about 08 years.

06. Perusal of record shows though notice was issued and the same was received by the informant/opposite party no. 2, but no one appears for the informant/opposite party no. 2.

06. Having regard to the facts and circumstances and



submissions made on behalf of the parties and considering the period of custody of the petitioner and his clean antecedent along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds 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 Court (POCSO), Samastipur in connection with Shivaji Nagar P.S. Case No. 47 of 2024, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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