

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8149 of 2025

Arising Out of PS. Case No.-73 Year-2024 Thana- SC/ST District- Rohtas

Dhikal Kumar @ Sarjeet Kumar S/o Dadan Singh R/o Village- Babhani, Post-
Bahuara, P.S.- Dawath, District- Rohtas, Pin Code- 802216

... .. Petitioner/s

Versus

1. The State of Bihar
2. Reena Devi W/o Santosh kumar R/o village babhani Post Bahuara, P S
Dawath, Dist- ROhtas pin-802216

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rewti Kant Raman
For the State	:	Ms. Usha Kumari 1
For Opposite Party No. 2:	:	Mr. Vikas Kumar Jha

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 13-05-2025
1. Heard learned Counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. This application, for grant of anticipatory bail, arises out
of Dehri SC/ST Police Station Case No. 73 of 2024, dated
15.10.2024, disclosing offences punishable under
Sections 126(2)/115(2)/76/333/352/351(2) of the Bhartiya
Nyaya Sanhita, 2023, Sections 8/12 of the Prevention of
Children from Sexual Offences Act, 2012 and Sections 3
(I) (r)/3(i) (s)/3 (1) (w) (I)/3(2) (Va) of the Scheduled
Castes and Scheduled Tribes (Prevention of Atrocities)
Act, 1989.

3. The prosecution case, as per the First Information Report



lodged by the Opposite Party No. 2, is that on 10.10.2024, while she was sleeping at her home at about 1 AM in the night, the petitioner entered into the house from the roof and molested her minor daughter, who was sleeping with the informant, started dragging the informant's daughter, torn her clothes and made her half naked. When her daughter started crying, the informant woke up and the petitioner ran away, threatening the informant and abusing her by taking her caste name.

4. Learned Counsel for the petitioner submits that the petitioner is 19 years of age and has been made accused in this case due to the dispute regarding payment of grocery items, which was purchased by the informant from the grocery shop of the petitioner. The informant took grocery items worth Rs. 500/- from the shop of the petitioner on the alleged date of occurrence and when the petitioner demanded the price and said that there was previous dues of Rs. 854/- and if the previous dues is cleared, only then he would give the items purchased by the informant worth Rs. 500/-. The list of purchased items along with its price is annexed by the petitioner as Annexure 2. He next submits that there is delay of six



days in lodging the First Information Report. However, the reasons of delay given in the First Information Report by the informant is that she was not at her home and when she came back, she got information regarding the present occurrence.

5. On the other hand, learned Counsel for the informant opposes the prayer for anticipatory bail and submits that the victim girl has supported the allegation made in the First Information Report in her statements, under Sections 180 and 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023.
6. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that there is six days' delay in lodging the First Information Report and the informant has given the reasons for delay that she was not at her home and when she came back, she got information and then she lodged the present First Information Report; whereas in the first part of the First Information Report, she has specifically stated that on the alleged date of occurrence, she was sleeping in her house along with the victim girl and the petitioner entered into the house and tried to outrage the modesty of the victim



girl, both the parties are co-villagers and their appears to be dispute regarding payment of purchased grocery items from the shop of the petitioner, I am inclined to grant the petitioner privilege of anticipatory bail.

- 7. This application is, accordingly, allowed.
- 8. Let the petitioner, above named, in the event of his arrest or surrender before the Court below within a period of four weeks from today, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge, POCSO, Rohtas, at Sasaram, in connection with Dehri SC/ST Police Station Case No. 73 of 2024, subject to the condition laid down under Section 482 (2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

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