

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.9961 of 2025**

Arising Out of PS. Case No.-233 Year-2024 Thana- TILAUTHU District- Rohtas

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1. Birendra Rajwar @ Birendra Ram S/O Late Basudeo Rajwar @ Basudeo Ram Resident of Village- Bnahera, P.S- Tilauthu, Distt.- Rohtas.
  2. Jokhan Kumar S/O Birendra Rajwar @ Birendra Ram Resident of Village- Bnahera, P.S- Tilauthu, Distt.- Rohtas.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Poonam Kumari D/O Gorakh Rajwar R/O Village- Bahera, P.S- Tilauthu, Distt.- Rohtas.

... .. Opposite Party/s

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**Appearance :**

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| For the Petitioners | : | Mr. Sadanand Roy, Advocate |
| For the State       | : | Mr. Tapeswar Sharma, APP   |

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**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      24-03-2025                      Heard learned counsels for the parties.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 126(2), 115(2), 65(1), 89, 352 and 351(2) of the B.N.S. and Section 4 of the POCSO Act.

3. As per prosecution case, informant alleged that while she was at her aunt's house in September, 2023 in the meantime, co-accused Bharat Kumar, who happens to be younger son of her uncle, forcibly established physical relations with her and threatened her not to disclose the incident to anyone. It is further alleged that co-accused Bharat Kumar



continued to sexually exploit the informant whenever she was alone as a result of which, she became pregnant and thereafter, co-accused Bharat Kumar tried to abort her pregnancy by giving her medicine. Thereafter, on 29.07.2024, when family members of informant came to know about the incident and went to enquire into the matter, all the accused persons named in the F.I.R., including these petitioners, assaulted them.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. From bare perusal of the F.I.R. it is apparent that specific accusation of sexual abuse is against co-accused Bharat Kumar. These petitioners are only alleged to have assaulted family members of the victim when they went to house of the accused persons to make complaint and there is no allegation of commission of sexual abuse against these petitioners. Doctor has found the injuries, allegedly caused by these petitioners, to be simple in nature. Petitioners claim clean antecedents.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the general and omnibus nature of



accusation, nature of injuries sustained by the injured and clean antecedents of the petitioners, the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within a period of eight weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned A.D.J.-VII-cum-Exclusive Special Court (POCSO) Act, Rohtas at Sasaram in connection with POCSO Case No. 116 of 2024 arising out of Tilauthu P.S. Case No. 233 of 2024, subject to condition as laid down under Section 482(2) of the B.N.S.S..

**(Prabhat Kumar Singh, J)**

shashank/-

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