

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.14463 of 2025**

Arising Out of PS. Case No.-18 Year-2019 Thana- BABUBARHI District- Madhubani

Mohan Ram, S/o- Chhabila Ram, R/o - Jabadi, P.S - Babubarhi, District -  
Madhubani

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ashok Kumar, Advocate

For the Opposite Party/s : Mr. Suresh Prasad Singh, Advocate

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR**  
**ORAL ORDER**

3      12-05-2025                      Heard learned Advocate appearing on behalf of the  
  
petitioner and the learned Additional Public Prosecutor for the  
  
State.

2. The petitioner apprehends his arrest in connection  
with Babubarhi P.S. Case No. 18 of 2019, registered for the  
offences punishable under Sections 354 B of the Indian Penal  
Code.

3. Allegedly while the informant was sitting in her  
courtyard, in the mean while the petitioner caught her from the  
back side and tried to commit rape. It is also alleged that the  
petitioner also assaulted her, however, when *halla* was raised, he  
fled away from there.

4. Learned Advocate appearing on behalf of the  
petitioner contended that the present case is nothing, but a



counterblast to Babubarhi P.S. Case No. 17 of 2019, instituted against the husband of the informant of the present case and other family members on 20.01.2019 itself. The occurrence allegedly took place on 18.01.2019, but the present FIR came to be lodged on 20.01.2019 after the institution of a criminal case at the hands of the mother of the petitioner. Taking the aforesaid fact, the petitioner has been accorded the liberty of the provision under Section 41A of the Code of Criminal Procedure. The order taking cognizance for the offence punishable under Section 354 B of the Indian Penal Code, was also challenged by the petitioner in criminal revision, however, it finally came to be rejected on 24.05.2024; hence, the petitioner moved before this Court. It is lastly contended that be that as it may, the petitioner is a boy of tender age, having absolutely fair antecedent and undertakes before this Court that he will fully cooperate in the proceeding.

5. On the other hand, learned Advocate for the State opposed the pre-arrest bail application.

6. Regard being had to the submissions made on behalf of the parties and considering the fact that the petitioner has all along been getting the benefit of Section 41 A, of the Code of Criminal Procedure and during the supervision, the



Superintendent of Police has recommended for submission of the chargesheet only for the offence under Section 354 A of the Indian Penal Code, coupled with the fair antecedent, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Chief Judicial Magistrate-IC, Madhubani in connection with Babubarhi P.S. Case No. 18 of 2019, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

**(Harish Kumar, J)**

supratim/-

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