

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14054 of 2025

Arising Out of PS. Case No.-278 Year-2024 Thana- KATEYA District- Gopalganj

1. Rahul Chauhan Son of Prithavi Chauhan @ Prithaviraj Chauhan @ Prithavi Prasad Chauhan Resident of Village- Parsauni, P.S.- Kateya, District- Gopalganj
2. Guddu Chauhan @ Chandrabhan Chauhan @ Guddu Son of Anirudh Chauhan Resident of Village- Parsauni, P.S.- Kateya, District- Gopalganj
3. Sonu Chauhan Son of Pappan Chauhan @ Ramakant Chauhan Resident of Village- Parsauni, P.S.- Kateya, District- Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Hasamuddin Ansari Son of Late Karamtaj Ali Resident of Vill- Parsauni, P.S.- Kateya, District- Gopalganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjay Kumar Pandey, Advocate
For the Opposite Party/s	:	Mr. Harendra Prasad, APP
For the O.P. No.2	:	Mrs. Shambhavi Sayesha, Advocate
	:	Mr. Lokesh Kumar Singh, Advocate
	:	Mr. Harendra Prasad, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 19-06-2025 Heard learned counsel for the petitioners, learned APP for the State and learned counsel for the opposite party no.2.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 126(2), 115(2), 118(1), 117(2), 75 and 3(5) of the Bharatiya Nyaya Sanhita read with Section 8 and 12 of the POCSO Act.

3. The allegation in the first information report is that the grand-daughter of the informant, who is a minor girl, was



intercepted by the accused persons while she was going to school and the allegation is that she was molested and was improperly touched by the accused persons. The further allegation is that when the informant's guardians went to the house of the petitioners, they were also assaulted.

4. Learned counsel for the petitioner submits that the allegations made in the present FIR are not correct and the attention of the Court is invited to the case filed by the father of petitioner no.1 (Annexure-3 of the bail application) which would show that the said case was lodged on 21.07.2024 whereas the present case was lodged as a counterblast, on the following date i.e. on 22.07.2024. The further submission on behalf of the petitioner is that the present FIR has been lodged against 10 accused persons and after a delay of about 15 days for which no explanation, much less plausible, has been tendered by the informant. Further, both the parties are neighbors having dispute with each other. A perusal of the statement of the victim girl recorded under Section 183 B.N.S.S. would show that the allegations are not same as that has been levelled in the FIR. It has also been submitted by the learned counsel for the petitioners that this statement of the victim girl has also been recorded after two and a half months of the



occurrence, which leaves enough scope of tutoring the victim.
The petitioners have no criminal antecedent.

5. Learned APP for the State opposes for prayer for bail.

6. Taking into consideration all the attending facts and circumstances of the case, it is directed that the petitioners, above named, in the event of their arrest or surrender before the learned Court below within a period of four weeks, be released on anticipatory bail in connection with Kateya P.S. Case No. 278 of 2024 on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VI Cum-Special Judge, POCSO, Gopalganj, subject to the condition laid down under Section 438(2) of the Code of Criminal Procedure/Section 482(2) of the B.N.S.S, 2023.

(Soni Shrivastava, J)

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