

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14481 of 2025

Arising Out of PS. Case No.-29 Year-2025 Thana- MOHANIYA District- Kaimur (Bhabua)

Sonu Kumar Yadav @ Sonu Yadav S/O Mohan Yadav Village- Jeevpur, P.S.-
Jamaniya, District- Gazipur, Uttar Pradesh

... .. Petitioner

Versus

1. The State of Bihar
2. Janaki Kumari D/O Harendra Yadav R/O Vill.- Keshopur, P.O.- Chhotaki
Kulhariya, P.S.- Mohania, Dist.- Kaimur at Bhabhua

... .. Opposite Party

Appearance :

For the Petitioner/s :	Mr.Tribhuwan Narayan, Advocate
For the Opposite Party/s :	Mr.Md. Iftekhar Mahmood, APP
	Ms.Mukul Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 07-08-2025 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State duly assisted by

learned counsel for the informant/O.P. No.2.

2. The accused/petitioner seeks bail in connection

with Mohania P.S. Case No. 29 of 2025 registered for the

offences under Sections 115(2), 126(2), 76, 351(2), 351(3),

352, 3(5) of the Bhartiya Nyay Sanhita, 2023 (in short the
“B.N.S.”), corresponding section 323, 341, 354(B), 506,

504, 34 of the I.P.C. and 8, 12 of the POCSO Act.

3. The petitioner is named in the First Information

Report and is in custody since 16.01.2025.

4. Allegation against the petitioner is to outrage the



modesty of informant/victim, who, at the time of occurrence, was minor and was going to attend the fair (*Mela*) along with her family.

5. It is submitted by learned counsel appearing on behalf of the petitioner that allegation is of non-penetrative sexual assault and petitioner was falsely implicated with the present case for the reason that father of the victim/informant was in inimical terms with mother of this petitioner, who got some paternal property out of her share.

6. It is pointed out that none of the independent witnesses, who alleged to gathered post occurrence as per statement of the victim during investigation, have supported the occurrence. It is submitted that petitioner is a man of clean antecedent, and moreover, investigation of this case is already completed and, as such, there is no chance of tampering with the evidence.

7. Learned A.P.P. for the State duly assisted by Ms. Mukul Kumari, learned counsel appearing for the informant/victim, while opposing the prayer for bail of the petitioner, submitted that allegation is specific against this



petitioner as to outrage the modesty of the informant/victim.

8. Considering the factual submission and totality of nature of accusation, coupled with the fact that investigation of this case is already completed, where petitioner being a man of clean antecedent, remains in custody since 16.01.2025, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Special Judge, POCSO Act-cum-A.D.J. -VI, Kaimur at Bhabua/concerned court, in connection with Mohania P.S. Case No. 29 of 2025, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

Rajeev/-

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