

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15921 of 2025

Arising Out of PS. Case No.-165 Year-2024 Thana- BAIRIYA District- West Champaran

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Sanjay Chaudhary S/o Lakharaj Chaudhary Resident of Vill- Bagahi, Nimiya
Tola, P.S.- Bairiya, Dist- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Makhan Chaudhary S/o Late Shiv Nath Chaudhary R/o vill - Bagahi,
Nimiya Tola, P.S.- Bairiya, Distt- West Champaran

... .. Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Sanjeev Kumar, Advocate
For the Opposite Party/s : Dr. Ajeet Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

- 4 20-06-2025
1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for
grant of regular bail in connection with Bairiya P.S. Case no.165
of 2024 registered for the offence punishable under sections
354, 354(ka), 354(kh) of the Indian Penal Code and sections 6
and 8 of the POCSO Act.

3. As per the prosecution case, the informant states
that when his 13 year old daughter went to get the mobile
phone, on the pretext of giving money, the petitioner took her



inside the room and molested her.

4. It is submitted by learned counsel for the petitioner that the petitioner who happens to be the neighbour of the informant has been falsely implicated in the case. The application for anticipatory bail of the petitioner having been rejected on 13.11.2024 (Annexure-1), the petitioner who has no criminal antecedent surrendered soon thereafter on 12.12.2024. He has remained in custody for over six months and chargesheet has been submitted in the case. He undertakes to cooperate in the learned trial Court.

5. The application for bail is opposed by learned A.P.P. for the State who submits that there is direct allegation against the petitioner of having molested the 13 year old daughter of the informant and the said allegation has been supported by the minor victim in her statement under section 164 Cr.P.C. wherein she has described her age to be 12 years.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the F.I.R., the material that has transpired in course of investigation and the statement of the minor victim recorded under section 164 Cr.P.C., the Court is not inclined to enlarge the petitioner on bail and the application is rejected.



7. Liberty is granted to the petitioner to renew his prayer
for bail after six months or on framing of charge whichever is later.

(Partha Sarthy, J)

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