

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.19463 of 2025

Arising Out of PS. Case No.-537 Year-2024 Thana- MOHANIYA District- Kaimur (Bhabua)

1. Bakku Gaddi @ Amir Ali @ Bhaku Gaddi S/O Gappu Gaddi Resident of Village- Mohania ward No. 10, P.S- Mohania, District- Kaimur at Bhabua.
2. Teja Gaddi S/O Gappu Gaddi Resident of Village- Mohania ward No. 10, P.S- Mohania, District- Kaimur at Bhabua.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. X D/O Late Tejbahadur Singh R/O Village- Ward No. 10, Mohania, P.S- Mohania, Distt.- Kaimur at Bhabua.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajani Kant Pandey, Advocate
For the Opposite Party/s : Mr.Ram Sevak Choudhary, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

4 07-08-2025 Heard learned counsel for the petitioners and the State. Despite valid service of notice appears on behalf of Opposite Party No. 2.

2. Petitioners apprehend arrest in a case registered for the offence punishable under sections 126 (2), 115 (2), 76, 329 (3), 352, 351 (2), 351 (3), 3(5) of the Bharatiya Nyaya Sanhita 2023 and sections 8 / 12 of the POCSO Act, 2012.

3. Prosecution case in brief, is that informant namely Sandhya Kumari (14 years) alleged that co-villagers, Musharam and Sarafraj used to tease her and pass objectionable remarks for the last 10 days while going to her coaching class. It is further alleged that when informant made protest, these petitioners threatened her and on 14.08.2024, around 8 Am, all



the accused persons entered the house of informant and attempted to commit rape with her and threatened her. It is further alleged that when brother of the informant intervened, all the accused persons assaulted him.

4. It is submitted on behalf of the petitioners that petitioners are quite innocent and have committed no offence as alleged. Present case has been lodged by informant only with a view to save skin of her brother namely Om Singh who is accused in Mohania P S Case No. 534 of 2024 lodged by father of co-accused Sarfaraz Khan in which petitioners sustained injuries. Allegation is general and omnibus against the petitioners. Co-accused, with similar allegation, have already been allowed pre-arrest bail by this Court vide order passed in Cr.Mis.No. 3400/2025.

5. Learned counsel for the State opposed the bail petition.

6. Considering the aforesaid facts of the case, in the event of arrest or surrender within eight weeks from today, let both the petitioners as named above, 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 the learned Court of special Judge POCSO cum ADJ VI Kaimur at Bhabua



in connection with Mohania P.S. Case No. 537 of 2024, subject to the conditions laid down under section 482(2) of the Bharatiya Nagarik Suraksha Sanhita , 2023.

(Prabhat Kumar Singh, J)

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