

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19315 of 2025

Arising Out of PS. Case No.-802 Year-2024 Thana- FATUA District- Patna

Subodh Kumar S/O Suresh Rai Resident Of Village-Makdumpur, P. S.-
Fatuha, District-Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sunita Devi W/O Shivkumar Das Resident Of Village-Maksudpur, P. S.-
Fatuha, District-Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jay Ram Prasad, Adv.
For the Opposite Party/s	:	Mr. Sadanand Paswan, APP
For the Informant	:	Mr. Mukesh Kumar Suman, Adv.

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 02-07-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. The petitioner apprehends arrest in connection with
Fatuha P.S. Case No. 802 of 2024 dated 13.11.2024, instituted
for the offence punishable under Sections 126(2), 115(2),
329(3), 75, 352, 351(2) and 3(5) of the Bharatiya Nyaya
Sanhita, 2023 and Sections 8/12 of the POCSO Act and Sections
3(i),(r)(s)(w) of SC/ST Act.

3. The prosecution case, in short, is that on the date of
occurrence at about 10:00 pm the informant was in her house
along with her family members, in the meantime, the petitioner
along with co-accused persons came and mis-behaved with her



daughter. On protest, all of them started abusing and threatened the informant and their family members.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been falsely implicated in this case. It is submitted that the occurrence took place on 26.10.2024 but the F.I.R. has been lodged on 13.11.2024 on the basis of typed complaint petition dated 10.11.2024. It is further submitted that the F.I.R. has been lodged after 14 days without any plausible explanation for the delay. It is submitted that there is no specific allegation against the petitioner, rather, the allegation is general and omnibus. Lastly, it has been submitted that he has no criminal antecedent.

5. Learned A.P.P. has opposed the prayer for bail of the petitioner.

6. On the other hand, learned counsel for the informant vehemently opposed the prayer for bail of the petitioner and submitted that three persons including the petitioner have molested the daughter of the informant.

7. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, in the event of arrest / surrender of the petitioner within a period of six weeks from today, in connection with Fatuha P.S. Case No.



802 of 2024, he shall be released on anticipatory bail 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 Sessions Judge-VII-cum-Special Judge POCSO, Patna, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Khatim Reza, J)

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