

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25114 of 2025

Arising Out of PS. Case No.-231 Year-2023 Thana- SONBERSHA RAJ District- Saharsa

Subodh Mehta S/o- Dipnarayan Mehta Village- Jalsaha Bhatta W.No-9, Ps-
Sonbarsa Raj OP Kushnagar Dist- Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar
2. Amar Keshri S/o- Late Satya Narayan Keshri Village- Kopa W.No-14, Ps-
Sonbarsa Raj OP Kushnagar Dist- Saharsa

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Binod Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Ajit Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 18-04-2025 Heard Mr. Binod Kumar Sinha, learned counsel for
the petitioner and Mr. Ajit Kumar, learned APP for the State.

2. Petitioner seeks bail, who is in custody since
07.03.2024, in connection with Special Case POCSO No. 46 of
2024 arising out of Sonbarsa Raj P.S. Case No. 231 of 2023,
F.I.R. dated 03.10.2023 registered for the offences punishable
under Sections 363, 366A, 120B, 34 of the Indian Penal Code
and Section 8 of the POCSO Act.

3. Earlier the prayer for bail of the petitioner was
rejected vide order dated 18.09.2024 passed in Cr. Misc. No.
42779 of 2024.

4. Learned counsel for the petitioner submits that the



petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. He further submits that the victim girl was recovered and her statement was recorded in the present trial in which she has categorically stated that she has performed the marriage with co-accused person namely Chandra Kishore Kumar and apart from that she has not stated anything about the petitioner.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and the victim has not stated anything about the petitioner, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Court, Special Judge, POCSO, Saharsa in connection with Special Case POCSO No. 46 of 2024 arising out of Sonbarsa Raj P.S. Case No. 231 of 2023, subject to the following conditions :-



(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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