

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31232 of 2025

Arising Out of PS. Case No.-489 Year-2024 Thana- PALIGANJ District- Patna

Mantu Kumar S/O Anuj Mochi @ Ramanuj Mochi Resident Of Mohalla-
Nirakhpur, Ps- Paliganj, Dist.- Patna.

... .. Petitioner/s

Versus

1. The State Of Bihar
2. Chandrawati Devi w/o Nauchee Mochi R/V - Nirakpur, PS- Paliganj, Dist - Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rupesh Ranjan, Advocate
For the Opposite Party/s : Mr. Rajiv Nayan, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 01-09-2025 Despite service of notice, there is no representation on
behalf of the informant/opposite party no. 2.

02. Heard learned counsel for the petitioner and
learned APP for the State.

03. In the present case, the petitioner seeks bail in
connection with Special (POCSO) Case No. 351 of 2024 arising
out of Paliganj P.S. Case No. 489 of 2024 registered for the
alleged offences under Sections 75(2), 76, 78, 79, 329(4),
351(2), 352 of Bharatiya Nyaya Sanhita, 2023 and Sections 67-
A, 67-B of I.T. Act and Sections 6, 8 and 12 of the POCSO Act.

04. As per prosecution case, the petitioner entered into
the house of the informant and sexually assaulted her minor



daughter. There is further allegation that the petitioner used to tease the minor daughter of the informant and also uploaded her photograph on Facebook with obscene song.

05. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case and no occurrence as alleged has ever taken place. The daughter of the informant and the petitioner were friends and informant did not like their friendship and lodged this false case. The petitioner has never uploaded the photographs of the victim girl on Facebook. The victim girl admitted this fact in her statements recorded under Sections 180 and 183 of BNSS. The petitioner is in custody since 04.12.2024 and charge-sheet has been submitted. The petitioner is having clean antecedent.

06. Learned APP for the State opposes the prayer for bail.

07. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the period of custody of the petitioner along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VII-cum-



Special Judge (POCSO Act), Patna/court concerned in connection with Special (POCSO) Case No. 351 of 2024 arising out of Paliganj P.S. Case No. 489 of 2024, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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