

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29102 of 2025

Arising Out of PS. Case No.-85 Year-2024 Thana- RUDRAPUR District- Madhubani

Chhotakan Mansuri S/o Farmud Mansuri Resident of village- Barsam, PS- Rudrapur, District- Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ghurani Khatun W/o Badre Alam R/o vill - Barsam, P.S.- Rudrapur, Distt.- Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bhavesh Kumar Sah, Advocate
For the State	:	Mr. Umeshanand Pandit, APP
For the O.P. No.2	:	Mr. Devesh Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 20-08-2025 Heard Bhavesh Kumar Sah, learned counsel for the petitioner, learned counsel for the State and learned counsel for the opposite party no.2.

2. The petitioner is apprehending his arrest in connection with Rudrapur P.S. Case No. 85 of 2024 for the offence under sections 74, 75, 76 B.N.S., 2023 and Sections 8 and 12 of the POCSO Act, lodged on 06.08.2024 by the informant, Ghurni Khatoon.

3. As per the prosecution story, the informant alleged that her minor and mentally weak daughter was present alone in the home when this petitioner came and tried to outrage her modesty by putting his hand on her internal parts and also



opened her clothes. When another child arrived, he escaped, this led to the FIR.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged.

5. Learned APP for the State and learned counsel for the opposite party no.2 oppose the prayer for anticipatory bail.

6. The Co-ordinate Bench had called for the case diary in which the statement of the victim girl is there and she has almost endorsed the statement/allegation made in the F.I.R. From the record, it is clear that the girl is minor and was able to understand all the facts of the case and in that background, certainly, it cannot come in the category of any consent. As such, it would be appropriate that the petitioner seeks bail.

7. Accordingly, prayer for anticipatory bail of the petitioner is rejected.

(Rajiv Roy, J)

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