

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31644 of 2025

Arising Out of PS. Case No.-302 Year-2024 Thana- MAHISHI District- Saharsa

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Wakil Sada Son of Late Sajjan Sada R/o village - Teghra, Ward No.- 18, P.S.-
Mahishi, District – Saharsa. Petitioner/s

Versus

1. The State of Bihar.
2. Akhilesh Paswan Son of Bhagwat Paswan R/o village - Teghra, Ward No.-
19, P.S.- Mahishi, District - Saharsa. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Madhav Jha, Advocate
For the Opposite Party/s : Mr.Md. Mushtaque Alam, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 11-09-2025 Heard learned counsel appearing on behalf of the

petitioner and learned APP appearing on behalf of the State.

2. The petitioner seeks bail in connection with Mahishi

P.S. Case No. 302/2024, registered for the offence under Sections

296, 115(2), 76, 352, 351(2), 3(5) of BNSS and 8 of POCSO Act,

2012.

3. The accused/petitioner is named in the F.I.R. and is

in custody since 25.01.2025.

4. As per case of prosecution, while the minor daughters

of the informant on the way of their school, were abused by

petitioner and other co-accused by using vulgar words and also

threatened them to make their video/photographs viral, when the

daughters of the informant objected for same, the accused



persons tried to disrobe them.

5. Learned counsel appearing on behalf of the petitioner submitted that the allegation is appearing very much general and omnibus against petitioner, where implication was made falsely out of neighbourhood disputes and differences. It is submitted that petitioner was implicated only for the reason that he is the uncle of the main co-accused persons. It is pointed out that the allegation is very limited against this petitioner that he assaulted holding hair of wife of the informant when the occurrence was reported to the parents of main co-accused person. While concluding the argument, it is submitted that investigation of this case is already completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence and, moreover, petitioner is a man of clean antecedent.

6. Learned APP opposed the prayer of bail.

7. Despite of service, none appeared on behalf of the informant.

8. Considering the aforesaid factual submissions and by taking note of nature of accusation, which is appearing very much general and omnibus against this petitioner, rather the allegation of teasing is specifically available against other co-accused persons, coupled with the fact that investigation of this case is



already completed, where petitioner remains in custody since 25.01.2025, accordingly, petitioner above named, is directed to be released on bail in connection with Mahishi P.S. Case No. 302/2024 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, POCSO, Saharsa (Exclusive Judge, POCSO, Saharsa)/concerned Court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C./Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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