

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41218 of 2025

Arising Out of PS. Case No.-121 Year-2024 Thana- KARTAHA District- Vaishali

=====

Anuj Kumar Son of Chandradip Prasad Yadav R/O Village -Gurmiya, P.S.-
Kartaha, District- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sita devi, W/O- Mundrika rai resident of Vill.- Gurmiya, P.S.- Kartaha,
District- vaishali

... .. Opposite Party/s

=====

Appearance :

For the Petitioner	:	Mr. Bandana Singh, Advocate
For the State	:	Mr. Vinod Shanker Modi, APP
For the Informant	:	N o n e

=====

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 31-10-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Despite valid service of notice, no one appears on
behalf of the informant/Opposite Party No. 2.

3. The petitioner seeks bail in a case registered for the
offence punishable under Sections 329(3), 127(2), 64(1), 352
and 351(2) of the B.N.S. and Section 4 of the POCSO Act.

4. As per prosecution case, it is alleged that all the
F.I.R. named accused persons, including this petitioner, forcibly
committed rape with daughter of informant.

5. It is submitted by learned counsel for the petitioner
that petitioner is quite innocent and has committed no offence.



As a matter of fact, there is admitted land dispute between father of the petitioner and husband of the informant for which a title suit is also pending before the learned Sub Judge-II, Vaishali at Hajipur bearing Title Suit No. 460/443 of 2022 and only with a view to settle civil dispute, this false and concocted case has been lodged. No medical examination of the victim was conducted. It is further submitted that prior to lodging of the present case, mother of the petitioner, who happens to be In-charge Principal of Rajkiya Ucha Vidyalaya, Gurmiya has lodged an F.I.R. bearing Kartaha P.S. Case No. 90 of 2024 against unknown persons for theft of electronic items from the school and in the said case, during course of investigation, name of husband of informant surfaced and in retaliation, this false and concocted case has been lodged. It is lastly submitted that the present F.I.R. has been lodged after inordinate delay of 48 days and there is no plausible explanation for the same. Petitioner is in custody since 11.11.2024.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the facts and circumstances of the case, delay in lodging of the F.I.R. and period of custody, the prayer for grant bail of to the petitioner is allowed.



8. Accordingly, let the above named petitioner be released on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-VI-cum-Special Judge, POCSO, Hajipur, Vaishali in connection with Kartaha P.S. Case No. 121 of 2024.

(Prabhat Kumar Singh, J)

shashank/-

U		T	
---	--	---	--

