

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34482 of 2025

Arising Out of PS. Case No.-476 Year-2023 Thana- GHOSI District- Jehanabad

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1. Sobha Devi W/O Upendra Raut R/O Mohalla- Nandana, P.s.- Ghoshi, Dist.- Jahanabad.
 2. Upendra Raut S/O Full Raut @ Fully Raut @ Fulo Raut R/O Mohalla- Nandana, P.s.- Ghoshi, Dist.- Jahanabad.

... .. Petitioners

Versus

1. The State of Bihar
2. Jagdish Kumar S/O Jayram Raut R/O Mohalla- Nandana, P.s.- Ghoshi, Dist.- Jahanabad.

... .. Opposite Parties

Appearance :

For the Petitioner/s	:	Mr.Amit Anand, Advocate
For the Opposite Party/s	:	Mr.Arun Kumar Singh, APP
For the Informant	:	Mr.Puskar Prashant, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 19-09-2025 Heard learned counsel appearing on behalf of the

petitioners and learned A.P.P. for the State.

2. The accused/petitioners seeks bail in connection with Ghoshi P.S. Case No. 476 of 2023 registered for the offences under Sections 452, 323, 376, 504, 506 read with section 34 of the Indian Penal Code and section 4 of the Protection of Children from Sexual Offences Act (in short the “POCSO Act”).

3. The accused/petitioner is named in the First Information Report and is in custody since 05.02.2025.

4. As per FIR, while the informant alongwith his



family went to complain about the son of the petitioners regarding sexual/penetrative assault as committed upon his daughter, the petitioners and other accused persons abused and assaulted him.

5. It is submitted by learned counsel appearing on behalf of the petitioners that both petitioners were implicated with the present case only for the reason that they are parents of main co-accused namely, Subodh Kumar, against whom thrust of allegation is available. It is submitted that victim and informant examined during trial and did not supported the occurrence. They were declared hostile and, therefore, keeping the petitioners behind the bar, being parents of main co-accused, would not serve any further purpose of justice

6. It is further submitted that upon radiological examination, the victim was found between the age group of 16 to 17 years, which further falsified the case of informant qua age of victim.

7. It is submitted that victim refused to join for detail medical examination as the allegation was false against



the petitioners. Arguing further, it is submitted that the issues and differences as surfaced between the parties being agnate also appears compromised and, therefore, realizing the mistake, the informant and victim retracted from their earlier statement *qua* occurrence and not supported the case of the prosecution while examining before the learned trial court.

8. Learned A.P.P. for the State has opposed the prayer for bail of the petitioners.

9. Mr. Puskar Prashant, learned counsel while appearing on behalf of the informant, approved the factum of compromise between the parties.

10. In view of aforesaid submission and by taking note of the fact as implication of petitioners *prima facie* appears being parents of main co-accused Subodh Kumar, coupled with the fact that investigation of this case is already completed, where petitioners remain in custody since 05.02.2025, accordingly, above-named petitioners are directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) each with two sureties of the like amount each to the satisfaction of learned District



and Additional Sessions Judge-VI-cum-Special Judge,
POCSO, Jehanabad/concerned court, in connection with
Ghoshi P.S. Case No. 476 of 2023, subject to the condition as
laid down under Section 437(3) Cr.P.C/Section 480(3) of the
Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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