

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.36069 of 2025

Arising Out of PS. Case No.-72 Year-2024 Thana- BARHARA District- Bhojpur

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1. Arun Kumar @ Rajdev Ram @ Baila Son of Late Jawahar Paswan @ Late Jawahir Ram @ Jawahir Paswan Village- Mohanpur Karja (Karja), P.S.- Barhara, District- Bhojpur
 2. Anish Paswan Son of Late Hawaldar Paswan @ Hawaldar Paswan Village- Mohanpur Karja (Karja), P.S.- Barhara, District- Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sushil Kumar Singh son of Late Bajinath Singh village- Bhushula, Ps- Barhara, dist- Bhojpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Diwakar, Advocate
For the Opposite Party/s	:	Mrs. Asha Devi, APP
For the Informant	:	Mr. Dhananjay Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

6 18-08-2025 Heard learned counsel for the petitioners, learned APP for the State, learned counsel for the informant and perused the case diary.

2. The petitioners seek bail in connection with Barhara P.S. Case No. 72 of 2024, instituted for the offences punishable under Sections 147, 341, 323, 354(B), 504 of the Indian Penal Code, read with Sections 8 and 12 of the POCSO Act.

3. The prosecution case, in short, is that the petitioners allegedly molested informant's minor daughter while she was on her way to school.



4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in the present case. Charge-sheet has been submitted in this case. Learned counsel for the petitioners also submits that the allegation levelled against the petitioners is general and omnibus in nature. The petitioners were not arrested on spot. It is further submitted that no any medical examination has been conducted in this case and the victim has not levelled anything specific against the petitioners in her statement recorded under Sections 161 and 164 of Cr.P.C. The petitioners are in custody since 16.04.2025 and have got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioners.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioners, this Court is inclined to grant bail to the petitioners.

7. Let the petitioners be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) each with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Barhara P.S. Case No. 72 of 2024, subject to the following conditions:



(I) One of the bailors shall be own/close member of the family of the petitioners.

(II) The petitioners shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioners.

(Rudra Prakash Mishra, J)

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