

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39841 of 2025

Arising Out of PS. Case No.-499 Year-2018 Thana- TURKAULIYA District- East
Champaran

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Arun Kumar S/o- Raghunath Ray Resident of village- Raghunathpur ward no
06, Ps- Raghunathpur District-East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pratibha Kumari Giri, District Program Officer, East Champaran, Motihari
Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Abhishek Kumar

For the Opposite Party/s : Mr.Manoj Kumar

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 04-11-2025 Heard the parties.

2.The accused/petitioner is not named in the F.I.R.

and apprehending his arrest in connection with Turkauliya

(Raghunathpur) P.S. Case No. 499 of 2018 registered for the

offences punishable under Sections 341, 342, 323, 504 and

34 of the IPC, Section 8 of the POCSO Act.

3. As per the prosecution case, during the course of

audit of such short-stay homes in the State of Bihar, it was

found that in “SAKHI”, the women inmates were subjected to

all kind of inhuman treatment including their sexual

exploitation.



4. It is submitted by learned counsel appearing on behalf of the petitioner that the petitioner has falsely been implicated in this case. The allegation levelled against the petitioner is not specific rather general and omnibus in nature. Learned counsel submits that there is no specific overt act against the petitioner and none of the inmates have supported the prosecution case. He also relied upon the legal report of Hon'ble Apex Court passed in the case of ***Mahdoom Bava vs. Central Bureau of Investigation*** reported in ***2023 SCC Online SC 299***. Learned counsel further submitted that out of 11 girls/ ladies, 10 failed to name this petitioner, whereas one girl name petitioner in a very general and omnibus nature. While concluding arguments, it is submitted that petitioner is a man of clean antecedent.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual and legal submission and by taking note of allegation which is very general and omnibus against petitioner, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released



on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned 6th Addl. Sessions Judge cum Special Judge, POCSO Act, Motihari, East Champaran / concerned Court, where the case is pending in connection with Turkauliya (Raghunathpur) P.S. Case No. 499 of 2018, subject to the conditions as laid down under Section 438(2) of the Cr.P.C/ Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

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