

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37578 of 2025

Arising Out of PS. Case No.-156 Year-2022 Thana- GHOGHARDIHA District- Madhubani

Sachchinath Jha @ Sachi Nath Jha @ Shashinath Jha S/O Late Kali Nath Jha
@ Kalinath Jha Resident of Village- Chikna, P.S- Ghoghardiha, District-
Madhubani.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Khusbu Kumari D/O Mangleshwar Nath Jha R/O Village- Chikna, P.S-
Ghoghardiha, Distt.- Madhubani.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Manish Kumar No 13, Advocate Mr. Rohit Kumar, Advocate
For the Opposite Party/s	:	Mr.Surendra Kumar, APP
For the Informant	:	Ms. Nitu Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 01-09-2025 Heard learned counsel for the petitioner, Informant
and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 341, 342, 376, 511 and 504 of the Indian Penal Code and Section 12 of the Prevention of Child from Sexual Offences Act.

3. The case of the prosecution, is based on complaint petition, is that the petitioner, who is uncle of the complainant was committing rape with the victim. It is alleged that on 12.10.2022 when the victim came out of her house, the petitioner caught hold of her and attempted to commit rape. At



that time, the victim raised an alarm and anyhow, she was rescued by the witnesses.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in connection with the present case. It is contended that the medical examination of the victim was conducted and from its perusal, it is clear that no external and internal injury was found on her body or private parts. The doctor has further opined that the age of the victim is about 19 years. It is further contended that during course of investigation, the statement of the victim was recorded under Section 164 of the Cr.P.C. wherein she supported the case of the prosecution in the latter part of her statement, she has stated that the petitioner has sold their land, has embezzled the cash, has not handed cash to her father and for which a '*panchayti*' was also held. It is further submitted that there is land dispute between the parties and due to which this petitioner has falsely been implicated in connection with the present case. Moreover, the petitioner is languishing in judicial custody since 14.04.2025 having no criminal antecedent.

5. Learned APP appearing for the Informant has vehemently opposed the prayer of regular bail.

6. Considering the aforesaid facts and circumstances



of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Ghoghardiha P.S. Case No. 156 of 2022 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge- VII cum Special Judge, POCSO, Madhubani.

(Ashok Kumar Pandey, J)

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