

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39986 of 2025

Arising Out of PS. Case No.-33 Year-2025 Thana- GAURICHAK District- Patna

Karmu Mistri @ Karmu Kumar s/o Radhe Mistri R/O Village -Gopalpur
Kandap P.S- Gaurichak, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Vishundeo Mistri Late Shivdhyan Mistri R/o Village- Gopalpur Kandap, P.S
-Gaurichak, District- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bhaskar Shankar, Advocate
For the Opposite Party/s	:	Ms. Sharda Kumari, APP
For the Informant	:	Mr. Mithilesh Kumar Singh, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 03-09-2025 Heard learned counsel for the petitioner, learned

counsel for the informant and learned APP for the State. Perused

the case diary.

2. The petitioner seeks bail in connection with Special
POCSO Case No. 25 of 2025, arising out of Gaurichak P.S.
Case No. 33 of 2025 instituted for the offences under Sections
76 of the Bharatiya Nyaya Sanhita, 2023 and Section 4/6 of the
POCSO Act.

3. As per prosecution case, the petitioner took the



informant's minor daughter to cowshed and tried to commit rape upon her.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and has falsely been implicated in the present case. Learned counsel further submitted that, as a matter of fact, no such occurrence as alleged in the FIR took place. Learned counsel further submitted that victim in her statement recorded under Section 183 of the Bharatiya Nagarika Suraksha Sanhita, 2023 has not supported the case of the prosecution. It has been submitted on behalf of the petitioner that the petitioner is in custody since 20.01.2025 and has no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, there being no material against the petitioner in Section 183 BNSS statement of the victim as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Special POCSO
Case No. 25 of 2025, arising out of Gaurichak P.S. Case No. 33
of 2025.

Alok Verma/-
(Rudra Prakash Mishra, J)

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