

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44732 of 2025**

Arising Out of PS. Case No.-57 Year-2025 Thana- BHAGWANPUR District- Kaimur
(Bhabua)

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Sohan Bind Son of Buchchu Bind @ Buchu Bind Resident of village-
Shahpur, PS- Bhagwanpur, District- Kaimur at Bhabua

... .. Petitioner/s

Versus

1. The State of Bihar
2. X D/O- Markandey Ram Resident of Village- Shahpur, P.S.- Bhagwanpur,
Distt.- Kaimur at Bhabua

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Rajani Kant Pandey, Advocate
For the State	:	Ms. Usha Kumari 1, APP
For the Informant	:	Ms. Kiran Kumari Sharma, Advocate

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

ORAL ORDER

2 21-07-2025 Heard learned counsel for the petitioner and learned APP
for the State as also learned counsel for the Informant.

2. The petitioner seeks bail in connection with
Bhagwanpur P.S. Case No. 57 of 2025 instituted for the offence
under Sections 126(2), 115(2), 352, 351(2), 109, 76 & 3(5) of
the Bharatiya Nyaya Sanhita, 2023, Sections 3(i)(r)(s)(w) &
3(2)(v) of the SC/ST (PoA) Act and Sections 8 & 12 of the
POCSO Act.

3. The prosecution case, in short, is that petitioner –
Sohan Bind wrongfully restrained and molested the informant
while she was returning home. When her father went to confront



him, Sohan Bind along with co-accused persons assaulted her father and others with weapons. Further, caste-based abuses were also hurled during the assault.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 21-03-2025. Petitioner bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case due to village politics and land dispute. As evident from the FIR itself, a quarrel arose between both sides over a land issue, during which the petitioner's side also sustained injuries. The allegation of molestation appears to be a fabricated afterthought, made in connivance with legal advice and local adversaries, solely to pressurize the petitioner. A counter-case has already been lodged by the petitioner's side. Other co-accused have been enlarged on anticipatory bail by a Co-ordinate Bench of this Court vide order dated 25-06-2025, passed in Cr. Misc. No. 37949 of 2025.

6. Learned A.P.P. for the State as also learned counsel for the Informant have vehemently opposed the prayer for grant of bail to the petitioner.



7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and there being case and counter case between the parties, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bhagwanpur P.S. Case No. 57 of 2025, subject to the following conditions:

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

(II) The petitioner 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 petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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