

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43305 of 2025

Arising Out of PS. Case No.-442 Year-2025 Thana- MADHEPURA District- Madhepura

Gholat Yadav S/O Late Arjun Prasad Yadav R/O Village- Jalaiya, P.S- Pastpar,
Distt.- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mithesh Kumar S/O Harideo Sharma R/O Village- Sabaila Ward No. 4,
P.S- Pastpar, Dist.- Saharsa.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Chandra Mohan Jha, Advocate
For the Opposite Party/s	:	Mr. Anant Kumar 1, APP
For the Informant	:	None

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

ORAL ORDER

5 09-10-2025 Heard learned counsel for the petitioner and learned
APP for the State. Perused the case diary. None appears on
behalf of the informant despite notice being validly served.

2. The petitioner seeks bail in connection with
Madhepura P.S. Case No. 442 of 2025 instituted for the offences
under Sections 115(2), 126(2), 75, 352, 3(5) of the Bharatiya
Nyaya Sanhita, 2023 and Section 12 of the POCSO Act.

3. Accusation against the accused persons including
the petitioner is of physically harassing the informant's minor
daughter as also of assaulting her.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.



Learned counsel further submitted that general and omnibus allegation has been made against the petitioner. No any specific allegation has been levelled against the petitioner. He further submitted that nothing specific has been whispered against the petitioner in Section 183 BNSS statement of the victim. It has been submitted on behalf of the petitioner that the petitioner is in custody since 07.04.2025 and has one criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case, 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 Madhepura P.S. Case No. 442 of 2025.

(Rudra Prakash Mishra, J)

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