

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42211 of 2025

Arising Out of PS. Case No.-94 Year-2025 Thana- TEKARI District- Gaya

Mithilesh Yadav @ Mithlesh Yadav Son of Hriday Yadav Resident of Village
- Mahmanna, P.S.- Tekari, Distt.- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manju Devi Wife of Virendra Yadav Resident of Village - Mahmanna, P.S.-
Tekari, Distt.- Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar, Adv.

For the Opposite Party/s : Mr.Parmanand Kumar, APP

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

ORAL ORDER

6 30-10-2025 Heard learned counsel for the petitioner and learned
APP for the State. No one appears on behalf of the O.P. No.2.
Perused the case diary.

2. The petitioner seeks bail in connection with Tekari
P.S. Case No. 94 of 2025 instituted for the offences under
Sections 126(2), 115(2), 76 of the B.N.S. and Sections 8/12 of
the POCSO Act.

3. As per prosecution case, the petitioner disrobed the
informant's minor daughter and tried to sexually assault her.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has committed no offence as alleged
against him and has falsely been implicated in the present case



due to ulterior motive. Learned counsel for the petitioner further submits that admittedly the informant's daughter was collecting potato from the land of the petitioner and then the alleged occurrence took place. He further submits that both the victim girl and her father were examined by the police and both of them have stated that the petitioner had tried to pull off the lower garments of the victim girl whereas the F.I.R. discloses that the petitioner has opened the lower garment of the victim girl which prima facie suggests that the instant case has been registered with a concocted story. The petitioner has no criminal antecedent and is languishing in judicial custody since 24.02.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature as the victim girl is minor. The Investigating Officer, after completion of investigation, has submitted charge-sheet against the petitioner for offence under Sections 74/75(1)/76 of the B.N.S. and Sections 8/12 of the POCSO Act.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, the period of custody of the petitioner, the petitioner having no



criminal antecedent as also the materials available in the case diary, let the petitioner, abovenamed, 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 Tekari P.S. Case No. 94 of 2025, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

rishi/-

U		T	
---	--	---	--

