

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43106 of 2025

Arising Out of PS. Case No.-446 Year-2023 Thana- KATEYA District- Gopalganj

Mantosh Ram S/o Bhola Ram Resident of Village- Baniachhapar, P.S-
Kateya, Distt- Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Reena Devi W/o Haresh Ram Resident of Village- Baniachhapar, P.S-
Kateya, Distt- Gopalganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dewanand Tiwari, Advocate

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

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

ORAL ORDER

5 15-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with Kateya
P.S. Case No. 446 of 2023 instituted for the offences under
Sections 323, 341, 354/34 of the Indian Penal Code and
Sections 7/8/9/11/12 of the POCSO Act.

3. Accusation against the petitioner is of outraging the
modesty of the informant's minor daughter.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Learned counsel further submitted that there is a delay of more
than two months in lodging the FIR without any plausible



explanation, which in itself, raises doubt over the prosecution story. Learned counsel further submitted that petitioner is being dragged in this case due to previous land dispute. It has been submitted on behalf of the petitioner that the petitioner is in custody since 14.05.2025 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner stating that victim in her statement recorded under Section 183 BNSS has supported the prosecution case.

6. Considering the aforesaid facts and circumstances of the case 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 Kateya P.S. Case No. 446 of 2023, 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.

(III) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(Rudra Prakash Mishra, J)

Alok Verma/-

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