

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46116 of 2025

Arising Out of PS. Case No.-4 Year-2025 Thana- Karnamepur District- Bhojpur

Pawan Turaha S/o Late Sri Bhagwan Turaha Resident Of Village- Bishupur,
PS- Karnamepur, District- Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rubi Devi Wife of Munna Turaha R/o - Baraka Bishunpur, P.S.-
Karnamepur, Dist.- Bhojpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.A. Shamshi, Adv. Mr. Ankita Singh, Adv.
For the Opposite Party/s	:	Mr. Zainul Abedin, APP
For the O.P. No.2	:	Mr. Vandana kumari, Adv.

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

ORAL ORDER

6 03-11-2025 Heard learned counsel for the petitioner and learned

APP for the State as also learned counsel for the O.P. No.2.

Perused the case diary.

2. The petitioner seeks bail in connection with
Karnamepur P.S. Case No. 04 of 2025 instituted for the
offences under Sections 126(2), 75(2), 76 of the Bhartiya Nyaya
Sanhita, 2023 and Sections 8/12 of the POCSO Act.

3. As per prosecution case, the accusation against the
petitioner is of molesting the informant's minor daughter by
lifting her in his lap.

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. Learned counsel for the petitioner further submits that the statement of the victim girl recorded in course of investigation cannot be relied upon as the victim girl is merely five years old. The petitioner and the informant is of the same village and due to inimical terms, the petitioner has been falsely implicated in the present case. The petitioner has no criminal antecedent and is languishing in judicial custody since 23.01.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State as also for the O.P. No.2 has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner is serious in nature as the victim girl is informant's minor daughter. The victim girl in her statement recorded under Sections 180 and 183 of the B.N.S.S. has supported the prosecution case. Charge-sheet has been submitted against the petitioner.

6. Learned counsel for the O.P. No.2 submits that the charge has been framed against the petitioner and the trial is in progress.

7. 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 as also the petitioner having no criminal antecedent, 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 Karnamepur P.S. Case No. 04 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)

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