

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44816 of 2025

Arising Out of PS. Case No.-164 Year-2025 Thana- CHIRAIYA District- East Champaran

Shankar Raut Son of Late Anchit Raut Resident of Village - Mishrauliya,
Police Station - Chiraiya, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Johra Khatoon Wife of Manshur Ansari Resident of Village - Mishrauliya,
Police Station - Chiraiya, District - East Champaran at Motihari.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shamir Mehra, Advocate
For the Opposite Party/s	:	Mrs. Dr. Indihar Kumari, APP
For the Informant	:	Mr. Radha Mohan Singh, Advocate

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

ORAL ORDER

4 18-09-2025 Heard learned counsel for the petitioner, learned
APP for the State, learned counsel for the informant and perused
the case diary.

2. The petitioner seeks bail in connection with
Chiraiya P.S. Case No. 164 of 2025, instituted for the offences
punishable under Section 76 of the Bharatiya Nyaya Sanhita,
2023, read with Sections 4/8 of the POCSO Act.

3. The prosecution case, in short, is that the petitioner
has sexually assaulted the minor daughter of the informant.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case.



Learned counsel for the petitioner also submits that the allegation levelled against the petitioner is general and omnibus in nature. The petitioner is 73 years old and ill person. It is next submitted that there is no any eye witness of the said occurrence. The victim girl has given her statement under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023 under the influence of her parents. The petitioner is in custody since 24.04.2025 and has got no criminal antecedent.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account 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 Chiraiya P.S. Case No. 164 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)

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