

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47662 of 2025

Arising Out of PS. Case No.-204 Year-2025 Thana- MOHANIYA District- Kaimur (Bhabua)

Chandan Kumar S/O Shambhu Jaiswal @ Shambhu Sah Resident of Village- Bhadwaliya (Jaypur), Post- Pipariya, P.S.- Mohania, District - Kaimur (Bhabua).

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manager Kumar S/O Girja Gond Resident of Village- Bhadwaliya (Jaypur), Post- Pipariya, P.S.- Mohania, District - Kaimur (Bhabua).

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Kumar Sunil
For the Opposite Party/s :	Mr. Brajendra Nath Pandey

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-07-2025 1. Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in anticipation of his arrest in a case registered for the offences punishable under Sections 115(2), 126(2), 74, 352, 351(2), 351(3), 326(f) of the B.N.S. and Sections 8 and 12 of the POCSO Act.

3. The learned counsel for the petitioner submits that the petitioner is a person with clean antecedent and the informant alleges that petitioner used to talk to his daughter with bad intention and even teased her and when informant objected, the petitioner threatened to kill his daughter. Further, on 12.03.2025, when his daughter was feeding the buffalo,



petitioner assaulted her and also threatened to burn the hut of the informant. It is next alleged that on 13.03.2025 at about 2.30 A.M. the informant came to know that his hut was burning, accordingly, he reached the place of occurrence and saw his burnt hut in which 15 quintal of paddy was also burnt to ashes. Thus, based on suspicion alleges that petitioner committed the occurrence.

4. The learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case. It is next submitted that informant is not an eye witness to the occurrence and the entire allegation hinges around suspicion. It is further submitted that in order to give serious colour to the case, it is alleged that petitioner used to act inappropriately with his daughter. It is also submitted that had the petitioner been acting inappropriately with the daughter of the informant, in that event, the informant would have instituted an FIR or a complaint case and would not have waited for the petitioner to burn his hut. It is also submitted that petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. Learned A.P.P. opposes the anticipatory bail application.

6. Considering the submissions made by the learned



counsel for the petitioner, the petitioner, above-named, in the event of his arrest or surrender before the learned Court below within a period of six weeks, is directed to be released on bail on his furnishing bail-bonds in the sum of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-VI-cum-Exclusive Special Judge, POCSO Act, Kaimur, Bhabhua in connection with Mohania P. S. Case No.204 of 2025, subject to the conditions laid down under Section 438(2) of the Cr.P.C.

7. The application stands allowed.

8. However, it is made clear that in the event, if any application is filed by the Investigating Officer before the learned trial Court bringing to its notice that petitioner, despite giving assurance to this Court, is not cooperating in the investigation or is not presenting himself as and when required, the learned trial Court shall be at liberty to cancel the bail bonds of the petitioner after recording reasons.

9. Let a copy of this order be sent to the concerned Police Station through the learned trial Court.

(Satyavrat Verma, J)

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