

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47839 of 2025

Arising Out of PS. Case No.-39 Year-2024 Thana- MAHILA PS District- East Champaran

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Rajan Kumar Baitha @ Niraj Kumar Baitha Son of Late Jitan Baitha Resident of village - Chaita Hajam Toli, P.S.- Pakridayal, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chandani Kumari Daughter of Shri Chhathu Baitha Resident of village - Chaita Hajam Toli, P.S.- Pakridayal, District - East Champaran.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Singh, Advocate

For the Opposite Party/s : Mr. Anish Chandra, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 10-11-2025 Heard learned counsel for the petitioner and the State.

2. Petitioner apprehends his arrest in a case registered for the offence punishable under sections 75, 351(2) and 3(5) of the BNS and under Section 8 of the POCSO Act.

3 . The prosecution case, in brief, is that on the alleged date and time of occurrence, while the informant was alone in her house, the petitioner came there and attempted to commit rape upon her by gagging her mouth. When the victim protested, the petitioner fled away from the place of occurrence. Subsequently, when the mother of the victim came to know about the incident and went to the petitioner's house, all the accused persons abused and assaulted her.

4. It is submitted on behalf of the petitioners that petitioner is innocent and has committed no offence as alleged.



The statement of the victim was recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita (B.N.S.S.), wherein the victim did not support the prosecution case. Petitioner claims clean antecedent.

5. Learned counsel for the State opposed the bail petition.

6. Considering the aforesaid facts that the victim has not supported the case of the prosecution in her statement which was recorded under Section 183 of the BNSS, in the event of arrest or surrender within eight weeks from today, let the petitioner, as named above, be enlarged on bail on furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned 06th District and Additional Sessions Judge-cum-Special Judge, POCSO Act, Motihari, East Champaran in connection with Mahila P.S. Case No. 39 of 2024, subject to the conditions laid down under section 482(2) of the Bharatiya Nagarik Suraksha Sanhita, 2023.

(Prabhat Kumar Singh, J)

AjayMishra/-

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