

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50823 of 2025

Arising Out of PS. Case No.-134 Year-2025 Thana- DAWATH District- Rohtas

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1. Chhotu Kumar @ Kavi Chaudhary S/O Raju Chaudhary Resident Of Village- Koath, PS- Dawath, Dist- Rohtas
 2. Ravi Chaudhary @ Ravi Kumar S/O Raju Chaudhary Resident Of Village- Koath, PS- Dawath, Dist- Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shashi Bhushan Choudhary S/O Late Hari Prasad Chaudhary Resident Of Village- Koath(near Durga Mandir), PS- Dawath, Dist- Rohtas

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Arvind Prasad Singh, Advocate
For the Opposite Party/s : Mr.Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

2 11-08-2025 Heard Learned Counsel for the petitioners, Learned Counsel for the Informant and Learned APP for the State.

2. The present criminal miscellaneous application has been filed under Section 482 of the Bharatiya Nagarik Suraksha Sanhita, 2023 (hereinafter referred to as ‘the BNSS, 2023’) for grant of anticipatory bail to the petitioners who apprehend arrest in connection with Dawat (POCSO) P.S. Case No. 134 of 2025, lodged on 26.04.2025, under Sections 126(2)/115(2) /74 / 303(2)/3(5) of the Bhartiya Nyay Sanhita, 2023 and under Section 8/12 of the POCSO Act.

3. As per the prosecution, FIR has been lodged against



the accused persons alleging therein that they entered into the house of the informant and tried to outrage the modesty of the grand daughter of the informant. On oppose, the accused persons assaulted the informant side.

4. Learned Counsel for the petitioners submits that the petitioners are innocent and have committed no offence. Counsel submits that there is other case which has been filed by the petitioners' side against the informant. He submits that the land dispute is going on between the parties. He further submits that both informant and petitioners are Gotiya, they are well known to each other and under jelous the present case has been lodged. Learned Counsel for the petitioners submits that with the span of time and due to intervention of the well wishers from both the sides, parties realized that for land dispute such type of cases may not continue and, therefore, they entered into compromise, which is annexed as Annexures-4 and 4/A. Counsel submits that antecedent of the petitioners are clean.

5. Learned Counsel for the informant submits that due to intervention of the well wisher, parties realized that there is no need of continuation of this case.

6. Learned APP for the State though opposes the prayer for bail of the petitioners and submits that such type of



compromise is not permissible in law.

7. In the present facts and circumstances that both the parties are present and they want to settle this case, let the above named petitioners be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of 4 weeks from today, on furnishing bail bond of Rs.30,000/- (Rupees Thirty Thousand) each as mentioned in Section 2(1)(d) of the BNSS, 2023 to the satisfaction of Special Judge (POCSO), Sasaram Rohtas, in connection with Dawat (POSCO) P.S. Case No. /134 of 2025, subject to the conditions as laid down U/s 482(2) of the BNSS, 2023.

(Dr. Anshuman, J)

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