

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48036 of 2025**

Arising Out of PS. Case No.-164 Year-2023 Thana- CHOUTARWA District- West  
Champaran

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Munna Yadav @ Munna Kumar Yadav Son of Shatrudhan Yadav Village-  
Chandraha Rupwaliya, Police station -Bathuwariya District -west Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rani Kumari Daughter of Dasai Bin Village- Chandraha Rupwaliya, Ward  
no. 16, Police station -Bathuwariya District -west Champaran

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Brij Kishor Mishra, Advocate  
For the State : Mr. Ram Bilash Roy Raman, APP

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**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      06-08-2025                      Heard Mr. Brij Kishor Mishra, learned counsel for  
  
the petitioner and Mr. Ram Bilash Roy Raman, learned APP for  
  
the State.

2. The petitioner is apprehending his arrest in  
connection with Chautarwa Bathwariya P.S. Case No. 164 of  
2023, F.I.R. dated 03.06.2023 registered for the offences  
punishable under Sections 354, 447, 448, 506 of the Indian  
Penal Code and Sections 8, 12 of the Protection of Children  
From Sexual Offences Act.

3. The prosecution case, in brief, is that on  
03.06.2023 in the morning at 03:00 A.M. accused namely,  
Munna Yadav entered into the house of the informant with bad



intention and while she was sleeping and then kept hand on her body. She further alleged that while she woke up Munna Yadav shut down her mouth with his hand and given threat to kill on the point of knife and saying to permit sleep with her and for that he was offering Rs. 1000/- but the informant somehow removed the hands of Munna Yadav from her mouth and started shouting thereupon he fled away.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. The police after investigation submitted final form in favour of the petitioner but the learned Court below in a mechanical manner has taken cognizance against the petitioner on 27.06.2024.

5. Learned APP for the State has opposed the prayer for anticipatory bail of the petitioner and submits that the petitioner is named in the F.I.R. and apart from that he has participated in the present crime in question.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and



the police submitted final form in favour of the petitioner but the learned Court below in a mechanical manner has taken cognizance against the petitioner, let the petitioner, above named, in the event of his arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District & Additional Sessions Judge-VII-cum-Special Judge (POCSO), Bettiah, West Champaran in connection with Chautarwa Bathwariya P.S. Case No. 164 of 2023, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/ Section 482(2) of BNSS, 2023 and with other following conditions :-

(1) Petitioner shall co-operate 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 on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.



(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

**(Rajesh Kumar Verma, J)**

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