

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50398 of 2025

Arising Out of PS. Case No.-152 Year-2025 Thana- DESARI District- Vaishali

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Puna Kant Jha S/O Late Genalal Jha R/O Village- Bazidpur Chak Kasturi,
P.S- Desari, Distt.- Vaishali.

... .. Petitioner/s

Versus

- 1 . The State of Bihar
2. Birendra Jha S/O Late Sarveshwar Jha R/O Village- Bazidpur, Chakesturi,
P.S- Sahdai, Dist.- Vaishali.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rakesh Prabhat , Advocate
For the Opposite Party/s : Mr. Rina Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 19-08-2025 Heard learned counsel for the petitioner and the

State .

2. Petitioner apprehends arrest in a case registered for
the offence punishable under sections 64 (1) , 351 (2) and 62
of BNS and under section 6, 8 , 10 and 18 of Protection of
children form sexual Offences Act.

3 . As per the prosecution case , informant namely
Birendra Jha alleged that on 05.05.2025 , this petitioner lured
the minor daughter of informant into his house and attempted to



commit sexual assault with her by opening her pants. It is further alleged that when victim resisted and raised alarm, then accused person threatened her with dire consequences. It is further alleged that when nearby villagers came there and rescued the victim, this petitioner fled away from the spot.

4. Learned counsel for the petitioners submits that the petitioner is innocent and has falsely been implicated in this case due to property dispute with informant for which title suit No. 11 of 2023 was filed by petitioner against informant in the concerned Court below . It is further submitted that the grandmother of victim herself wrote an application to the SHO of the police station which contains signature of other villagers wherein there was no such allegation as alleged in the F.I.R. Petitioner is 71 years old and suffering brain tumor.

5 . Learned counsel for the State opposed the prayer for bail and submitted that there is specific allegation against this petitioner that he tried to commit sexual assault upon the victim. During course of investigation victim in her statement recorded under section 183 BNSS has supported the allegation and she was medically examined and doctor has found that the hymen ruptured.

6. Considering the nature of accusation , statement of



the victim recorded under section 183 BNSS and gravity of
offence , prayer for pre-arrest bail of the petitioners is rejected.

(Prabhat Kumar Singh, J)

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