

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32419 of 2025

Arising Out of PS. Case No.-9 Year-2025 Thana- KATEYA District- Gopalganj

1. Mukesh Yadav S/O Santosh Yadav Resident of Village- Gram Pakadi Tola Khanahi, Bairia, P.S.- Kateya, District- Gopalganj
2. Shila Devi W/O Santosh Yadav Resident of Village- Gram Pakadi Tola Khanahi, Bairia, P.S.- Kateya, District- Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shila Devi W/O Birender Gonda Resident of Village- Gram Pakadi Tola Khanahi, Bairia, P.S.- Kateya, District- Gopalganj

... .. Opposite Party/s

with

CRIMINAL MISCELLANEOUS No. 56289 of 2025

Arising Out of PS. Case No.-9 Year-2025 Thana- KATEYA District- Gopalganj

Vikash Yadav S/O Santosh Yadav R/O Vill.- Gram Pakadi Tola Khanahi, P.S.- Kateya, Dist.- Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. SHILA DEVI GRAM PAKADI TOLA KHANADI, GOPALGANJ

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 32419 of 2025)

For the Petitioner/s : Mr.Akash Shankar

For the Opposite Party/s : Mr.Sadanand Paswan

(In CRIMINAL MISCELLANEOUS No. 56289 of 2025)

For the Petitioner/s : Mr.Akash Shankar

For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

5 11-11-2025 Both the applications arise out of the same case i.e. Kateya P.S. Case No. 09 of 2025 and accordingly, the same are being heard and disposed of together by this common order.

Cr. Miscellaneous No. 32419 of 2025

2. Heard learned counsel for the petitioners and



learned counsel for the State.

3. The petitioners apprehends their arrest, in a case registered for the offence punishable under Sections 126(2), 115(2), 74, 352, 351(3), 3(5) of the B.N.S. and section 8 and 10 of the POCSO Act & section 3(i) of the SC/ST Act.

4. According to allegation, petitioners and other accused person are alleged to have indecent behaviour with the minor daughter of the informant and also was teasing her. When she was going to school, Vikas Yadav snatched her dupatta. She came to her house and complained and narrated the incident to her family members and when they went to the house of petitioners, the family members of the Vikash Yadav threatened them to kill.

5. Learned counsel for the petitioners has submitted that the petitioners are innocent and have falsely been implicated in this case. There are general and omnibus allegation against these petitioners. There is delay of 14 days in lodging the F.I.R. Petitioners have no criminal antecedent. There is no allegation of intentionally humiliation or intimidation within public view as such provision of Prevention of Atrocities of SC/ST is not applicable. He has also submitted that petitioner was given benefit of Section 35 of the B.N.S.



6. On the other hand, learned counsel for the informant as well as learned APP have opposed the prayer for bail and submitted that Vikash Yadav is the main accused whereas other petitioners are brother and mother of said Vikash Yadav.

7. Considering the above-mentioned facts and circumstances and clean antecedent of the petitioners, let the petitioners, in the event of their arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned District & Session Judge-VI, Gopalganj in connection with Kateya P.S. Case No. 09 of 2025, subject to the conditions as laid down under Section 438(2) Cr.P.C./ 482(2) of the BNSS, 2023.

Cr. Miscellaneous No. 56289 of 2025

8. So far as petitioner Vikas Yadav is concerned, the petitioner apprehends his arrest, in a case registered for the offence punishable under Sections 126(2), 115(2), 74, 352, 351(3), 3(5) of the B.N.S. and section 8 and 10 of the POCSO Act and section 3(i) of the SC/ST Act.

9. According to allegation, petitioner Vikash Yadav is



alleged to have indecent behaviour with the minor daughter of the informant. He was teasing her, when she was going to school, Vikas Yadav snatched her *dupatta*. She came to her house and complained and narrated the incident to her family members and when they went to the house of petitioner, the family members of the Vikash Yadav threatened them to kill.

10. Learned counsel for the petitioner submit that petitioner is innocent and has falsely been implicated in this case. Petitioner has no criminal antecedent.

11. On the other hand, learned APP and learned counsel for the informant opposed the prayer for bail and submitted that the main allegation is upon Vikash Yadav who harass and eve-teasing the daughter of the informant when she was coming from school.

12. Considering the facts and circumstances of the case and also serious nature of allegation against the petitioner, this Court is not inclined to grant privilege of anticipatory bail to the petitioner. Accordingly, the prayer of bail stands rejected.

(Nawneet Kumar Pandey, J)

Ranjeet/-

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