

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61652 of 2025

Arising Out of PS. Case No.-385 Year-2025 Thana- AGAMKUAN District- Patna

Mithu Rai, S/o Mathura Rai, Resident Of Village- Jaganpura, Ps- Ram Krishna Nagar, Dist- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Moni Devi, W/o Indrajeet Rai, R/o vill - Kumharar Naya Tola Talaba, P.S.- Agamkuan, Distt.- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arvind Prasad Singh, Adv.
For the Informant	:	Mr. Saroj Kumar Choudhary, adv.
		Mr. Amresh KUmbar Sinha, Adv.
For the Opposite Party/s :		Mr. Md. Mushtaque Alam, APP

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

4 17-12-2025 Heard Mr. Arvind Prasad Singh, learned counsel for the petitioner, Mr. Saroj Kumar Choudhary, learned counsel for the informant and Mr. Md. Mushtaque Alam, learned APP for the State.

2. The petitioner seeks regular bail in connection with Special (POCSO) Case No. 133 of 2025 arising out of Agamkuan P.S. Case No. 385 of 2025 dated 11.05.2025, registered for the offence(s) punishable under Sections 126(2), 115(2), 74, 352, 351(2) of the B.N.S. and Sections 8 and 12 of POCSO Act.

3. As per the prosecution story, on 07.05.2025, the informant went to Nawada leaving behind her husband and two children and when the informant returned from Nawada to her



home, her 12 year old daughter, victim informed her that on 10.05.2025 at about 1:00 P.M., the petitioner had indulged in molestation, asked her to do wrongful acts and threatened her with assault.

4. The main submissions advanced by petitioner's counsel are that in fact, the informant had taken Rs. 20,000/- in the month of December, 2024 from the petitioner and the same was not returned due to which a dispute arose in between the petitioner and the informant and finally informant fabricated a false story with the help of her daughter and the inordinate delay of four days took place on the part of the informant in lodging the FIR which itself shows the malafide intention of the informant.

5. On the other hand, learned counsel appearing for the informant has vehemently opposed the bail prayer of the petitioner and submits that the victim who happens to be 12 years old girl fully supported the allegations and in the CCTV camera installed nearby the place of occurrence, the victim was seen going towards the petitioner and there is nothing to substantiate the petitioner's said defence with regard to money transaction dispute between him and the informant.

6. Considering the seriousness of the allegation



appearing against this petitioner from the FIR and statement of the victim who happens to be 12 year old girl, this court is not inclined to release the petitioner on bail at this stage. Accordingly, his prayer for bail stands rejected.

(Shailendra Singh, J)

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