

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66695 of 2025

Arising Out of PS. Case No.-48 Year-2024 Thana- BHOJPUR COMPLAINT CASE District-
Bhojpur

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1. Upendra Kumar S/O Baijnath Ram R/O Village- Nahasi, Post- Bagwan, Distt.- Bhojpur at Ara.
 2. Supendra Kumar @ Supendra Ram S/O Baijnath Ram R/O Village- Nahasi, Post- Bagwan, Distt.- Bhojpur at Ara.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajendra Nath Sinha, Adv.

For the Opposite Party/s : Mr. Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-10-2025 1. Heard learned counsel for the petitioners and
learned A.P.P. for the State.

2. The petitioners apprehend their arrest in a case
registered for the offences punishable under Sections 75(A),
115(2), 352 and 351(2) of the BNS, 2023 read with Section 12
of the POCSO Act.

3. Learned counsel for the petitioners submits that
petitioners have antecedent of two cases, but then both the cases
were instituted by the side of the complainant. It is further
submitted that there is land dispute in between the parties, as
such, the petitioners are being implicated constantly by the side
of the complainant. It is next submitted that the complainant



alleges that petitioners were trying to make the victim sit on the motorcycle and when she protested, the accused Supendra (petitioner no. 2) pulled her *Odhni* and when the complainant went to the house of the petitioners for inquiry when other accused persons assaulted them.

4. Learned counsel for the petitioners submits that petitioners have been falsely implicated in the instant case by the complainant by deliberately instituting a complaint case. It is next submitted that had an FIR been instituted, the case would have been investigated and the true facts would have come to the fore, but then the complainant deliberately filed a complaint case. It is further submitted that petitioners will not abscond rather will cooperate in framing of charge and facing the trial.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioners.

6. Considering the submissions made by the learned counsel for the petitioners, the petitioners above-named, in the event of their arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned trial court where



the case is pending/successor court in connection with Complaint Case No. 48(c) of 2024 subject to the conditions as laid down under Section 482 (2) of the BNSS.

7. However, it is made clear that if the learned Trial Court comes to a conclusion that petitioners, after their release, are trying to delay the framing of charge or after framing of charge are delaying the trial, in both the conditions, the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioners.

8. Accordingly, the instant anticipatory bail application stands allowed.

(Satyavrat Verma, J)

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