

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68492 of 2025

Arising Out of PS. Case No.-133 Year-2025 Thana- SATHI District- West Champaran

Raghu Sharma @ Ragho Sharma S/o Bhushan Sharma R/o Village-
Dhaminaha, P.S.- Sathi, District- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. X D/o Ranjay Bharti R/o Village- Dhaminaha, Ward No. 5, P.S.- Sathi,
District- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bimlesh Kumar Pandey, Advocate
For the State	:	Ms. Renu Kumari, APP
For the Informant	:	Mr. Ajit Kumar, Advocate
		Mr. Abishek Kumar, Advocate
		Mr. Ajay Gosawami, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 19-11-2025 Heard Mr. Bimlesh Kumar Pandey, learned counsel for the petitioner and Ms. Renu Kumari, learned APP for the State as also Mr. Ajit Kumar, learned counsel for the informant, assisted by Mr. Abishek Kumar, and Mr. Ajay Gosawami, Advocates. Perused the case diary.

2. The petitioner seeks bail in connection with Sathi P.S. Case No. 133 of 2025 instituted for the offence under Sections 126(2), 115(2), 329(4) & 76 of the Bharatiya Nyaya Sanhita, 2023. Subsequently, Sections 8 & 12 of the POCSO Act were added.

3. Prosecution case, in short, is that petitioner



allegedly entered into the informant's house with wrong intention, and when she raised alarm, he ran away after applying vermilion on her forehead.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 04.08.2025. Petitioner bears no criminal antecedents, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Learned counsel submits that from perusal of the FIR, it appears that although the informant has portrayed herself as a victim of attempted rape, but no allegation exists against the petitioner of removing her clothes or even touching her. It is submitted that both being adolescents, a simple meeting arising out of calf love has been misconstrued and the case is lodged as an afterthought on 01.06.2025 for the alleged occurrence of 31.05.2025. It is further submitted that the informant's family, annoyed with their platonic relationship, pressured her to lodge the FIR the next day, and even in her police statement she admitted of being on talking terms with the petitioner, negating any indecent intent.

6. Learned A.P.P. for the State and learned counsel for



the informant have vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and nature of accusation, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail, *after framing of charge, if not already framed*, on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sathi P.S. Case No. 133 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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