

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70555 of 2025

Arising Out of PS. Case No.-37 Year-2023 Thana- MAHILA P.S. District- Siwan

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1. Munmun Kumar, S/o Nandlal Basfore
 2. Satyendra Kumar, S/o Dhunath Bashfore
- Both are R/o Badram, P.S- Hussainganj, Dist- Siwan

... .. Petitioners

Versus

1. The State of Bihar
2. X, D/o Dasrath Bashfore, R/o Badram, P.S- Hussainganj, Dist- Siwan

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Ansul, Senior Advocate
		Mr. Anuj Kumar, Advocate
For the State	:	Mr. Shyameshwar Dayal, APP
For the Informant	:	Mrs. Kumari Anupam, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 08-12-2025 Heard learned counsel for the petitioners and learned

Additional Public Prosecutor for the State duly assisted by

learned counsel appearing for informant.

2. The accused/petitioners seek bail in connection

with POCSO Trial No.10 of 2025 arising out of Siwan Mahila

P.S. Case No.37 of 2023 registered for the offences

punishable under Sections 341, 323, 325, 307, 511, 379,

504, 506 read with 34 of the Indian Penal Code (in short

'IPC') as well as Sections 8 and 12 of the Protection of

Children from Sexual Offences Act (in short 'POCSO Act').

3. The accused/petitioners are named in the FIR and

are in custody since 21.08.2025.



4. Allegation against petitioners is to commit non-penetrative sexual assault upon complainant, who at the time of occurrence was aged about 15 years and when the matter reported to the parents of the petitioners, the family members of the informant were badly assaulted.

5. Mr. Ansul, learned senior counsel appearing for the petitioners submitted that the occurrence in actual was neighbourhood quarrel in which both parties received injuries and for the occurrence, which took place about 10.00 A.M. on 18.06.2023, on imaginary ground after 22 days, the complaint was filed by complainant/victim raising the allegation of non-penetrative sexual assault. While concluding argument, it is submitted that investigation of this case is already completed, for which, charge-sheet has been submitted and, as such, there is no chance of tampering with the evidence and moreover petitioners are men of clean antecedent.

6. Learned APP duly assisted by Mrs. Kumari Anupam, learned counsel appearing for the informant, while opposing the prayer of bail submitted that the allegation appears specifically available against petitioners. It is submitted that during the occurrence, the complainant and her



family members were badly assaulted.

7. In view of aforesaid factual submissions and by taking note of delay as to lodge the complaint after 22 days of the occurrence, coupled with the fact that investigation of this case is already completed, where petitioners, being men of clean antecedent, remain in custody since 21.08.2025, accordingly, both petitioners, above-named, are directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Special Judge POCSO Act, Siwan in connection with POCSO Trial No.10 of 2025 arising out of Siwan Mahila P.S. Case No.37 of 2023, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short 'CrPC')/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short 'BNSS').

(Chandra Shekhar Jha, J.)

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