

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74744 of 2025

Arising Out of PS. Case No.-222 Year-2025 Thana- NARPATGANJ District- Araria

Subhash Mandal @ Subhash Kumar S/o- Murali Mandal Farhi koskapur Ward
no- 06 P.s- Narpatganj District-Araria

... .. Petitioner

Versus

1. The State of Bihar
2. XYZ W/o- Suresh Yadav Farhi koskapur Ward no- 06 P.s- Narpatganj District-Araria

... .. Opposite Parties

Appearance :

For the Petitioner : Mr. Mrigendra Kumar, Advocate
For the Opposite Party State: Mr. Uday Chand Prasad, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 04-11-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The accused/petitioner is named in the FIR and apprehending his arrest in connection with Narpatganj P.S. Case No. 222/2025 registered under Sections 65(1), 62, 352 and 3(5) of the Bhartiya Nyaya Sanhita, 2023 (in short 'B.N.S.') and Sections 4(2) and 18 of the POCSO Act.

3. The allegations against the petitioner is to made an attempt upon the minor daughter of the informant, aged about 13 years, while she was alone in her home for committing penetrative sexual assault.

4. It is submitted by learned counsel appearing for



the petitioner that in actual one occurrence of abuse and assault took place between the parties and just to alleviate the allegation the present implication was raised, which realizing subsequently was retracted through petition dated 26.06.2025 as filed before the D.A.J.-VI-cum-Special Court, Araria, in connection with the present case. It is pointed out that in view of the aforesaid compromise, the allegations as raised against the petitioner appears *prima facie* doubtful, who is a man of clean antecedent.

5. Learned APP has opposed the prayer for bail.

6. In view of aforesaid factual submissions and by taking note of the fact as informant creates a doubt over the implication by retracting from her version on affidavit before Special Court itself, accordingly, the petitioner, above-named, who is man of clean antecedent, in the event of his arrest or surrender in the court below within a period of four weeks from today, is directed to be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned A.D.J.-VI-cum-Special Judge (POCSO), Araria, in connection with Narpatganj P.S. Case No.222/2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure (in short 'Cr.P.C.)/under Section 482(2) of the



Bhartiya Nagrik Suraksha Sanhita, 2023 (in short ‘B.N.S.S.’).

(Chandra Shekhar Jha, J)

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