

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.81111 of 2024**

Arising Out of PS. Case No.-283 Year-2024 Thana- CHAINPUR District- Kaimur (Bhabua)

Om Prakash Kumar @ Om Prakash Ram, Son of Majaki Ram, Resident of  
Village- Hata, P.S.Chainpur, District- Kaimur at Bhabua

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chandrashekhar Ram, S/o- Late Shyam Rathi Ram, Resident of Village-Hata  
Ps-Chainpur Dist- Kaimur at Bhabua

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Uday Pratap Singh, Advocate

For the Opposite Party/s : Mr.Madan Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY**  
**ORAL ORDER**

4      03-03-2025                      Heard Mr.Uday Pratap Singh, learned counsel for the  
petitioner, learned counsel for the informant and Mr.Madan  
Kumar, learned APP for the State.

2. The petitioner has prayed for bail in connection  
with POCSO Case No. 65 of 2024 arising out of Chainpur P.S.  
Case No. 283 of 2024 registered for the offence punishable  
under Sections 64(2) of B.N.S and Section 4 and 6 of the  
POCSO Act.

3. The case of the prosecution is that the petitioner has  
kidnapped the minor daughter of the informant and after  
gagging her mouth he has committed rape with her. It is further  
alleged that victim has disclosed all the facts to her parents.



4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. It is further submitted that the occurrence is of 22.07.2024 whereas the F.I.R. has been lodged on 29.07.2024. During course of investigation, the victim has given her statement under Section 164 of the Cr.P.C. wherein she has stated that Om Prakash (Petitioner) has pulled her to his house and has disrobed her. When she raised alarm, he ran away. From perusal of the statement of the victim recorded under Section 164 of the Cr.P.C., it transpires that the only allegation is that of attempt to outraging the modesty. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. He is languishing in judicial custody since 30.07.2024.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant. Learned counsel for the informant has submitted that as the trial has started, the case should be heard after the deposition of the victim.

6. Having heard learned counsel for the parties and considering the materials on the record, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is



directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Special Judge, Kaimur at Bhabua in connection with POCSO Case No. 65 of 2024 arising out of Chainpur P.S. Case No. 283 of 2024.

(Ashok Kumar Pandey, J)

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