

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85875 of 2024

Arising Out of PS. Case No.-184 Year-2024 Thana- Marnga District- Purnia

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Mauli Rishi @ Arun Kumar @ Arun S/o Dukhan Rishi R/o Vill.- Kabaiya,
P.S.- Maranga, Dist.- Purnia

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Arhuliya Devi, W/o Dhurkhelo Rishi R/o Vill-Kavaiya,P.S- Maranga, Distt-
Purnia
- 3. XYZ, D/o Sulachna Rishi Katihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Ashutosh Kumar, Advocate
For the Informant/s	:	Mr. Vijay Shankar Shrivastava, Advocate
For the Opposite Party/s	:	Mr. Umesh Lal Verma, APP

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 11-02-2025 Heard learned counsel for the petitioner; learned counsel
for the Informant Mr. Umesh Lal Verma and learned APP for the
State.

2. The petitioner has prayed for regular bail in a case
registered for the offences punishable under Section 64(i) of the
Bharatiya Nyaya Sanhita and Section 4 of the POCSO Act.

3. The case of the prosecution is that while the victim has
gone to ease herself, she was being served with toxicants in cold
drink and the informant states that physical relation was also
established by the petitioner with the victim.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He has got no criminal antecedent. During course of investigation, the victim has given her Statement recorded under Section 183 of the BNSS and has stated that when she has gone to ease herself she found a man who wore a mask. He served her liquor and some intoxicant and forced her to drink it. What happened after this, she does not know. She regained her consciousness in the hospital. When she regained consciousness then she felt that some false has been committed with her. She has further stated that she does not identify that man. From perusal of the Statement of the victim herself, it is clear that she has not identified the petitioner and that only allegation is that of serving intoxicants. It is next submitted that the medical of the victim was also conducted and the doctor has opined that there was no sexual intercourse with the victim. It is further submitted that the petitioner is languishing in judicial custody since 27.08.2024.

5. Learned APP appearing for the state and learned counsel for the informant have vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is



inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Maranga P.S. Case No. 184 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge POCSO, Purnea.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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