

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86776 of 2024

Arising Out of PS. Case No.-222 Year-2024 Thana- NAUBATPUR District- Patna

Guddu Sao S/o Late Shyam Babu Sao @ Shyama Babu Sav Resident of
village- Motipur, Police Station- Naubatpur, Distt.- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Deepa Kumari W/o Guddu Sao R/o vill - Motipur, P.S. - Naubatpur, Distt.- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Piyush Singh, Adv.
For the State : Mr.Umeshanand Pandit, APP
For the O.P. No.2 : Mr. Vijay Kumar Sinha, Adv.

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

ORAL ORDER

4 08-04-2025 Heard learned counsel for the petitioner and learned

APP for the State as also learned counsel for the Informant.

Perused the case diary.

2. The petitioner seeks bail in connection with Spl.

POCSO Case No. 94 of 2024 arising out of Naubatpur P.S.

Case No. 222 of 2024 instituted for the offences under

Sections 341, 323, 376(3), 506 of the Indian Penal Code

and Sections 4/6 of the POCSO Act.

3. As per prosecution case, the accusation against

the petitioner is of molesting as well as committing indecent

acts with his 15-year old minor daughter with an intent to



make physical relationship with her.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case due to ulterior motive of the Informant. The petitioner is the husband of the Informant and father of the victim girl. The petitioner has no concern with the alleged occurrence. The petitioner has no criminal antecedent and is languishing in judicial custody since 18.04.2024 without any rhymes or reason. Learned counsel for the petitioner by way of filing supplementary affidavit has stated that the charges have been framed against the petitioner in this case under Sections 323, 354, 354A, 354D of the I.P.C. and Section 8, 10, 12 of the POCSO Act.

5. On the other hand, learned A.P.P. for the State and the Informant have vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. The victim is minor daughter of the petitioner. The Informant, in her re-statement, has corroborated the allegations made in the F.I.R. Several



witnesses have also supported the prosecution case. The victim girl, in her statement recorded under Section 161 Cr.P.C., has supported the prosecution case. The court below has taken cognizance under Sections 341, 323, 376(3), 506 of the I.P.C. and Section 4, 6 and 10 of the POCSO Act and the charges have also been framed against the petitioner in this case under Sections 323, 354, 354A, 354D of the I.P.C. and Section 8, 10, 12 of the POCSO Act.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Naubatpur P.S. Case No. 222 of 2024 , subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and



shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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