

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88739 of 2024

Arising Out of PS. Case No.-15 Year-2024 Thana- RIVILGANJ District- Saran

Sunil Yadav @ Bebal Yadav @ Sunil Rai Son of Visundev Ray @ Visundev
Yadav @Debal Yadav Resident of village- Naya basti loha tola, P.S.-
Revilganj, District- saran at chapra. Petitioner/s

Versus

1. The State of Bihar
2. Anita Devi Wife of Sri Birendra Manjhi Resident of village- Naya Basti
Loha tola, Ps- Revilganj, Dist- Saran at Chapra Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Nawnit Kumar Tiwary, Adv.
For the State	:	Mr. Binay Krishna, APP
For the Informant	:	Mr. Anjani Parashar, Adv. Ms. Tooba Hera, Adv.

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 13-08-2025 Heard learned counsel for the petitioner, learned APP for
the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in a case registered for the offences punishable under Section 354/34 of the Indian Penal Code, Section 8/10 of POCSO Act and Section 3(i)(r)(s)/3(2)(va) of the SC/ST (POA) Act.

3. The allegation in the FIR is that the petitioner indulged in teasing the daughter of the informant and upon protest, he along with accused hurled abuses and also assaulted the informant.

4. Learned counsel for the petitioner submits that it would be apparent from the FIR itself that the same has been lodged after a delay of three days and the allegation in the FIR



seems to remain confined upon an incident of attempt to tease the daughter of the informant. However, the statement of the victim was recorded under Section 164 Cr.P.C., wherein she has given a different story and has rather tried to introduce some more facts which were absent in the FIR and also stated that four years back also, this petitioner used to tease her while on way to school. It is further submitted that the petitioner is actually a neighbour of the informant and on account of some disputes between them, he has been implicated with false allegations and apparently, the allegations made in the FIR do not completely match with the statement of the victim girl recorded under Section 164 Cr.P.C. It is also submitted that the petitioner is a young boy aged about 18 years who has no criminal antecedent before the filing of two cases by the informant.

5. Learned APP for the State and learned counsel appearing for the informant, however, oppose the prayer for anticipatory bail on the ground of the allegations as alleged and has further invited the attention of this Court to a subsequent FIR lodged by the informant against the present petitioner and others, wherein she has made an allegation that she was raped by the petitioner and others. In response to the same, it is submitted on behalf of the petitioner that in the subsequent



case, a final form was submitted in favour of the petitioner, however, subsequently, cognizance has been taken differing with the said final form.

6. Taking into consideration the rival contentions, it is apparent that the allegations in the FIR with regard to teasing do not completely match with the statement of the victim recorded under Section 164 Cr.P.C. and an unconvincing story of a second F.I.R. with allegation of raping the mother of the present victim has been brought. Considering the young age of the petitioner, who had no criminal antecedent before the filing of these two cases by the informant, let the petitioner, above named, in the event of his arrest or surrender before the Court below within four weeks, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned lower Court where the case is pending/successor Court in connection with Revilganj P.S. Case No. 15 of 2024, subject to the condition as laid down under Section 438 (2) of the Cr.P.C/ 482 (2) of the BNSS, 2023.

(Soni Shrivastava, J)

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