

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1459 of 2025

Arising Out of PS. Case No.-370 Year-2024 Thana- BAHADURPUR District- Patna

Raj @ Raj Anand Son of Mukesh Chandra Jha @ Mukesh Chand Jha
Resident of Sha Alam Nagar, P.S. and District- Madhepura, Bihar - 852210

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gudiya Kumari Daughter of Rameshwar Sohni Resident of Badhua Khurd,
P.S. - Basantpur, District - Siwan - 841406

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. P.N. Shahi, Sr. Advocate Mr. Abhishek Kumar Pandey, Advocate Mr. Kuldeep Thakur, Advocate Mr. Harsh Kaushal, Advocate
For the Opposite Party/s	:	Mrs. Anita Kumari, APP
For the Informant	:	Mr. Anupam Prabhat Shrivastava, Advocate

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

ORAL ORDER

3 08-04-2025 Heard learned counsel for the petitioner, learned

APP for the State, learned counsel for the informant and perused

the case diary.

2. The petitioner seeks bail in connection with Special
Case (POCSO Act) No. 239 of 2024, arising out of Bahadurpur
P.S. Case No. 370 of 2024, instituted for the offences punishable
under Sections 126(2), 115(2), 352, 351(2), 64, 3(5) of the
Bharatiya Nyaya Sanhita, 2023 read with Sections 8 and 12 of
POCSO Act.



3. The prosecution case, in short, is that, the petitioner along with other co-accused persons committed rape upon the informant and also assaulted her.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Learned counsel for the petitioner also submits that the allegation levelled against the petitioner is general and omnibus in nature. No specific allegation has been attributed against the petitioner. Specific allegation of committing rape upon the informant is against co-accused Saurabh. It is further submitted that the informant has not stated anything against the petitioner in her statement recorded under Section 183 of the Bharatiya Nyaya Sanhita, 2023. The petitioner is in custody since 04.09.2024 and has got no criminal antecedent.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.



7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Special Case (POCSO Act) No. 239 of 2024, arising out of Bahadurpur P.S. Case No. 370 of 2024.

(Rudra Prakash Mishra, J)

Rajorshi/-

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