

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6139 of 2025

Arising Out of PS. Case No.-314 Year-2024 Thana- SABAUR District- Bhagalpur

Shankar Soni @ Shankar Kumar Soni S/O Kripa Nand Sah Resident of Girls High School Chowk, Sabour, P.S- Sabour, Dist.- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Ruchi Devi W/O Rajeev Kumar Soni Near Girls High School, Ward No.- 10, Sabour, P.S- Sabour, Dist.- Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ashok Kumar No.6, Adv. Mr.Mukesh Kr. Jha, Adv.
For the State	:	Mr.Mohammed Arif, APP

CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR PANDEY

ORAL ORDER

7 16-10-2025 Heard learned counsel for the petitioner as well as learned APP for the State.

2. The petitioner apprehends his arrest in connection with Sabour P.S. Case No. 314 of 2024, corresponding to POCSO Case No. 184 of 2024, registered for the offences punishable under Sections 75, 352, 351(2), 3(5) of BNS and Section 8 of the POCSO Act, 2012.

3. The case arises from a complaint lodged by the informant alleging inappropriate behavior by her unmarried brother-in-law with her minor daughter during the night of 23.08.2024. Upon hearing her child's cries, the informant found the accused fleeing from the house. When the incident was



informed, the husband and the mother-in-law tried to pacify the informant.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated. The petitioner is own brother of husband of the informant. The husband of the informant sold his half share in the residential house in favour of the petitioner through sale deed dated 13.07.2023. After selling his share, the informant and her husband were not evicting that portion due to which *Pachayat* was convened but the informant and her husband did not evict portion of the house, purchased by the petitioner. He has submitted further that no statement under Section 183 of BNSS of the victim has been recorded rather the statement of her mother has been recorded. He has also submitted that the falsity of the occurrence also transpires that there is no medical examination of the victim.

5. On the other hand, the learned APP for the State has opposed the prayer for bail.

6. Considering the above-mentioned facts and circumstances, let the petitioner, in the event of his arrest or surrender within four weeks before the learned court below, be released on anticipatory bail on furnishing bail bond of Rs.



10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Addl. Sessions Judge-VI-cum-Exclusive Special Judge (POCSO), Bhagalpur in connection with Sabour P.S. Case No. 314 of 2024, corresponding to POCSO Case No. 184 of 2024, subject to the conditions as laid down under Section 438(2) Cr.P.C.

(Nawneet Kumar Pandey, J)

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