

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3197 of 2025

Arising Out of PS. Case No.-325 Year-2024 Thana- BATHNAHA District- Sitamarhi

Guddu Rai S/o Late Ranjeet Rai Resident of Village- Majgama, P.S.-
Bathnaha, District- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. Victim D/o Jageshwar Rai R/o vill - Mazgama, P.S. - Bathnaha, Distt.-
Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 24-01-2025 Heard learned counsel for the petitioner and Mr. Sanjay
Kumar Singh, learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 126(2), 115(2), 74, 76, 352, 351(2), 351(3), 3(5) of Bharatiya Nyaya Sanhita and Section 12 of the POCSO Act.

3. The case of the prosecution is that while the victim, aged about 14 years, returning the house of his uncle, the petitioner along with others were present there. It is further alleged that Amresh Kumar caught her hand and tried to pull her and Rupesh Kumar pulled her '*duppata*'. It is further alleged that Amresh Kumar put the front wheel of the bike on the stomach of the victim, however, when alarm was being raised, her



aunt and cousin sister came there to rescue her. It is further alleged that accused persons abused and assaulted them as well.

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. It is also submitted that the occurrence is of 06.07.2024 whereas the FIR has been lodged on 13.07.2024. It is next argued that the petitioner and the informant are next door neighbors and they have falsely been implicated in connection with the present case. It is further submitted that the petitioner is languishing in judicial custody since 16.11.2024. Similarly situated other co-accused person has already been granted anticipatory bail by this Court vide order dated 28.11.2024 in Cr. Misc. No. 79752 of 2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as custody of the petitioner, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Bathnaha P.S. Case No. 325 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 District and Additional Sessions Judge-VI-Cum-Special



Judge POCSO Act, Sitamarhi.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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