

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7844 of 2025

Arising Out of PS. Case No.-575 Year-2024 Thana- CHAPRA MUFFASIL District- Saran

Ranjan Kumar Son of Ashok Kumar Saini Resident of Village- Sandha, PS-
Muffasil, District- Saran

... .. Petitioner

Versus

1. The State of Bihar
2. Ravi Mishra Son of Sunil Mishra Resident of Village- Sandha, P.S.-
Muffasil, Distt.- Saran

... .. Opposite Party

Appearance :

For the Petitioner/s	:	Mr.Ankur Prakash Sinha, Advocate Mr.Piyush Saurav, Advocate
For the State	:	Mr.Md. Matloob Rab, APP
For the O.P. No.2	:	Mr.Aashi Wats, Advocate Mr.Mukesh Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

5 01-08-2025 Heard learned counsel appearing on behalf of the
petitioner and learned A.P.P. for the State.

2. Petitioner seeks bail in connection with Muffasil P.S.
Case No. 575 of 2024 registered for the offences under Sections
126(2), 115(2), 76, 351(2) of the Bhartiya Nyaya Sanhita, 2023
and section 3/4 of POCSO Act.

3. The petitioner is named in the First Information
Report and is in custody since 23.09.2024.

4. Allegation against the petitioner is to outrage the
modesty/sexual assault of sister of the informant aged about 14
years while she was sleeping in her room on 21.09.2024 at about



3:00 A.M. after criminal trespass.

5. It is submitted by learned counsel appearing on behalf of the petitioner that both parties are neighbors and due to neighborhood disputes and differences, present false case was lodged against the petitioner.

6. It is submitted that in fact the informant outraged the modesty of sister of the petitioner for which petitioner lodged a complaint case against the informant on the same day, which was registered as Complaint Case No. 2634/2024 before the court of learned C.J.M., Chapra, Saran, and when the aforesaid facts came into the knowledge of the informant, the present case was lodged against the petitioner.

7. It is submitted that from facial perusal of the FIR, only allegation of criminal trespass and assault appears *prima facie* convincing. It is also submitted that as per statement of the victim, it cannot be gathered that the act of petitioner was with sexual intent.

8. While concluding argument, it is submitted that petitioner is a man of clean antecedent, moreover, investigation of this case is completed, charge-sheet has been submitted, and as such, there is no chance of tampering with the evidence.

9. Learned A.P.P. for the State duly assisted by learned



counsel for the informant, while opposing the prayer for bail of the petitioner, submitted that allegation is specific against the petitioner as to outrage modesty of the sister of the informant after criminal trespass.

10. Taking note of the nature of accusation, where parties are in litigating terms, coupled with the fact that petitioner is in custody since 23.09.2024, where investigation of this case is already completed, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Additional Sessions Judge (POCSO), Saran, Chapra, in connection with Muffasil P.S. Case No. 575 of 2024, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

Rajeev/-

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