

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2005 of 2025

Arising Out of PS. Case No.-208 Year-2024 Thana- GAMAHAIRIYA District- Madhepura

Raman Poddar @ Raman Kumar Son of Shankar Poddar Resident of Village-
Piprahi Ward No. 01, P.S.- Gamhariya, District- Madhepura

... .. Petitioner/s

Versus

1. The State of Bihar
2. Raj Kumar Son of Shambhu Mandal Resident of Jaluwar, P.S.- Gamharia,
Distt.- Madhepura

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Nand Kishore Prasad, APP

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

ORAL ORDER

6 05-05-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Gamhariya P.S. Case No. 208 of 2024 instituted for the offence
under Sections 126(2), 115(2), 75, 76, 352, 351(2), 351(3) &
3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 8 & 12
of the POCSO Act.

3. As per prosecution case, accusation against the
petitioner is of attempting rape upon the sister of the informant.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 02-11-2024. Petitioner
bears no criminal antecedent, as per disclosure made in



paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. The petitioner claims to be falsely implicated in the case due to a financial dispute, alleging that the informant took Rs. 40,000 from him and, to avoid repayment, falsely accused him with the help of her sister. The petitioner had lodged a prior complaint on 22.08.2024 with the SHO, warning of the informant's threats to falsely implicate him. Learned counsel for the petitioner submits that there are discrepancies in the FIR and statements made by the informant, the alleged victim, and the witnesses.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Charge sheet is submitted in this case.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, manner of petitioner's implication and charge sheet being submitted, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of



Court below/concerned Court in connection with Gamhariya
P.S. Case No. 208 of 2024, subject to the following
conditions:

(I) One of the bailors shall be own/close member of the
family of the petitioner.

(II) The petitioner shall appear on each and every date
fixed at the trial. In case of default in such appearance on
two consecutive dates, the Trial Court will have liberty to
cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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