

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11026 of 2026

Arising Out of PS. Case No.-86 Year-2024 Thana- DHANAHA District- West Champaran

Satyendra Bharati Son of Sri Surendra Ram Resident of Village - Badki
Devipur, P.S. - Dhanaha, Dist. - West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXX D/o XYZ R/o Village - Badki Devipur, P.S. - Dhanaha, Dist. - West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sharad Kumar Verma
	:	Mr. Abhishek, Advocate
	:	Mr. Hemant Ray, Advocate
For the Opposite Party/s	:	Mr. Surendra Kumar

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 14-05-2026 Heard Mr. Sharad Kumar Verma, learned counsel

for the petitioner and Mr. Surendra Kumar, learned Additional

Public Prosecutor for the State.

2. Despite valid service of notice, no one has appeared

on behalf of the OP No. 2.

3. Petitioner seeks bail who is in custody since

03.01.2025 in connection with Dhanaha P.S. Case No. 86 of

2024 for the offences punishable under Sections 341, 294, 354,

354A, 379, 504, 506 and 34 of IPC of the BNS and Section 8 of

Protection of Children from Sexual Offences Act, 2012.

4. The case of the prosecution, in brief, is that on

01.05.2024, at about 08.15 p. m., the O. P. No. 2 submitted



written report before the S. H. O. of Dhanaha P. S alleging therein that she was reading in class-8 in Government upgraded Middle School, Gobarahiya, and used to go to school on foot. On 15.04.2024, at about 9 a. m., while she was going to her school, and reached near Bharwa village, the three accused persons including the petitioner, who are her co-villagers, asked her to stop, as they had some works with her, and when she stopped, they started speaking indecent words, and Vinay Kumar Sahani caught hold of her hands from behind, and Ajit Kumar Gond and Satyendra Bharati started outraging her modesty, and on protest by her, they gave out threatening. Vinay Kumar Sahani assured her to marry. On alarm raised by her, they left her breast, and fled away. They had previously outraged her modesty 2-3 times, in respect of which, complaint was made to their family-members. On 15.04.2024, Anand Kumar Sahani, Gorakhlal Sahani, Ranjit Kumar Gond, Upendra Ram all armed with lathi-danda and gun came to her house, and while hurling abuses, and started committing marpit to her brother Akash Sahani, and gave out threatening of lives, and of lifting her sister, if incident was reported anywhere. Anand Sahani took out Rs. 1500/- from the pocket of her brother. Since she is an unmarried girl, she wanted to resolve the dispute with



intervention of responsible people of the village.

5. Learned counsel for the petitioner submits that petitioner has clean antecedent and is innocent and he has falsely been implicated in the present case. It is further submitted that the allegation as alleged in the FIR is forged and fabricated and the petitioner has not committed any offence as alleged in the FIR. It is next submitted that as per the allegation as alleged in the FIR the petitioner and accused persons have misbehaved with the informant. Learned counsel for the petitioner further submits that from perusal of the FIR it appears that the date of occurrence is 15.04.2024 but the FIR has been instituted on 01.05.2024 i.e., after a delay of fifteen days without giving any explanation of delay which suggests that it is an afterthought FIR instituted so as to implicate the petitioner falsely in the present case. It is next submitted that it appears from the FIR itself that except the misbehavior no other allegation in the FIR has been alleged against the petitioner and the police after investigation has submitted charge-sheet and petitioner is in custody since 03.01.2025.

6. The learned Additional Public Prosecutor for State has vehemently opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and circumstances



and that petitioner has clean antecedent, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VII-cum-Special Judge, under POCSO Act, West Champaran at Bettiah in connection with Dhanaha P.S. Case No. 86 of 2024, subject to the following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of



verification.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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