

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17056 of 2026

Arising Out of PS. Case No.-358 Year-2024 Thana- KATEYA District- Gopalganj

Vishal Singh S/O Vijay Rai Resident of Village- Rudalpur Mahuwa Patan,
P.S- Kateya, Distt.- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. X W/O Y R/O Village- Rudalpur Mahuwa Patan, P.S- Kateya, Distt.-
Gopalganj.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Umesh Kumar Singh

For the Opposite Party/s : Mr.Surendra Prasad Singh

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 09-04-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 126(2),
115(2), 74, 351(3), 352, 303(2) and 3(5) of the Bharatiya Nyaya
Sanhita and Sections 8 and 12 of POCSO Act.

3. Learned counsel for the petitioner submits that
petitioner has antecedent of one case and the informant alleges
that Sarita locked her room, on objection accused persons
including the petitioner came and Vijay Rai gave order to
assault her daughter, Ritika, who had seen Sarita locking the
door of the informant and all accused assaulted and Vishal tore



clothes of her daughter unveiling her and accused threatened.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that police after threadbare investigation came to a considered conclusion that petitioner is innocent thus submitted final form exonerating the petitioner of the allegation, but then learned Magistrate differing with the police report, took cognizance. The learned counsel for the petitioner next submits that when one investigating agency after threadbare investigation came to a considered conclusion that petitioner is innocent, whether it would be prudent for the court to send the petitioner to jail based on an order of cognizance which came to be taken based on the same police report which exonerated the petitioner of the allegation. It is also submitted that in the event if privilege of anticipatory bail is granted to the petitioner, the petitioner will not abscond rather will cooperate in the investigation to prove his innocence.

5. Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender within a period of six weeks



from today, be released on anticipatory bail on furnishing bail bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned trial court where the case is pending/successor court in connection with Kateya P.S. Case No. 358 of 2024, subject to the conditions as laid down under Section 482 (2) of the BNSS.

(Satyavrat Verma, J)

Sumit/-

U		T	
---	--	---	--

