

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65674 of 2025

Arising Out of PS. Case No.-18 Year-2024 Thana- SC/ST BETTIAH District- West
Champaran

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Golu Kumar Das @ Golu Kumar, S/o Sri Jitendra Das, Resident of village -
Ghogha, Deep Tola, P.s.- Gopalpur, Distt.- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Joni Devi, W/o Sri Virendra Ram, R/o vill - Ghogha, Deep Tola, P.S.-
Gopalpur, Distt.- West Champaran

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sharad Kumar Verma, Advocate

For the Opposite Party/s : Mr. Binay Krishna, APP

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 08-01-2026 Heard learned counsel for the petitioner, learned
counsel for the informant and learned A.P.P. for the State.

2. Petitioner, who is in custody, seeks bail in
connection with Bettiah SC/ST P.S. Case No. 18 of 2024
registered for the offences punishable under Sections 126(2),
115(2), 333, 76, 352, 351(2)/3(5) of the Bharatiya Nyaya
Sanhita, 2023; Section 8/12 of the Prevention of Children from
Sexual Offences Act, 2012 and Section 3(1)(r)(s), 3(2)(va) of
the Scheduled Caste and Scheduled Tribe (Prevention of
Atrocities) Act, 1989.

3. As per the prosecution case, the informant has
alleged that the petitioner entered into her house and he started



pressing the mouth and neck of her minor daughter and when the informant woke up, the petitioner pushed her aside and thereafter assaulted Rajesh Ram, who has been inflicted with injury.

4. Learned counsel for the petitioner has submitted that the petitioner has falsely been implicated in this case out of previous enmity between the families on account of their being neighbour. It has further been submitted that no such incident as stated has occurred and in fact, from mere perusal of the FIR, it would be evident that no specific overt act of sexual assault has been made. The statement of the girl was also called by this Court and from perusal of her statement recorded under Section 183 of BNSS, it would be evident that the victim has herself stated that the petitioner entered into the house and he started pressing the mouth and neck and when she shouted, he fled away. It has also been submitted that no case under the SC/ST Act has been made out in the facts and circumstances of the case. It has lastly been submitted that one criminal case is lodged against the petitioner prior to the present one and he is in custody since 30.05.2025.

5. The learned counsel for the informant as well as the A.P.P. has vehemently opposed the prayer for bail and have



stated that the petitioner had entered the house with an intent to commit sexual assault, however, on hulla being raised, he fled away.

6. Considering the aforesaid submissions made by the parties and taking account the period of custody, 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 court below where the case is pending/successor court in connection with Bettiah SC/ST P.S. Case No. 18 of 2024, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned 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.

7. Accordingly, the prayer for bail is allowed.

8. It is made clear that the observation, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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