

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72154 of 2025

Arising Out of PS. Case No.-313 Year-2025 Thana- SIWAN MUFFASIL District- Siwan

1. Guddu Pandey Son of Daya shankar Pandey Resident of vill-Pararia PS-Siwan Muffasil Dist- Siwan
2. Chhoteylal Pandey Son of Daya Shankar Pandey Resident of vill-Pararia PS-Siwan Muffasil Dist- Siwan
3. Vitun Pandey son of Daya Shankar Pandey Resident of vill-Pararia PS-Siwan Muffasil Dist- Siwan

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sonamati Devi W/O-Keshwar Bhagat R/V-Sarsar, Ps-Muttasil, Dist-Siwan

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Kumari Anupam
For the Opposite Party/s : Mr.Raj Kishor Singh

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

7 06-07-2026 Heard learned counsel for the petitioners and learned
A.P.P. for the State.

2. The petitioners apprehend their arrest in a case registered for the offence under Sections 341, 323, 354(B), 504, 506/34 of the Indian Penal Code, Section 3 / 4 of Prevention of Witch Practices Act, 1999 and Section 10 of the POCSO Act.

3. As per the prosecution case, on 04.08.2023 at about 9:30 PM, daughter of informant went to attend the call of nature, in the meantime, all these petitioners came there, caught her and disrobed her and thereafter, tried to commit rape upon her. It is further that when informant came there, the accused persons started assaulting her, but when neighbours and son of informant reached there, the petitioners fled away from there.



4. Learned counsel for the petitioners submits that petitioners are innocent and have committed no offence and have been falsely implicated in this case due to old enmity. No such occurrence, as alleged in the F.I.R., ever took place. As a matter of fact, both parties are co-villagers and there is admitted dispute between them, for which, petitioners have lodged two cases against informant side i.e. Complaint Case No. 931 of 2023 and Siwan Muffasil P.S. Case No. 571 of 2018 and only with a view to save their skin from those cases, the present false case has been lodged. Learned counsel further submits that as per complaint petition, said occurrence had occurred on 04.08.2023, but complaint case was lodged on 02.09.2023 i.e. after about one month and there is no plausible explanation of delay. Petitioners claim clean antecedent.

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

6. Considering the aforesaid facts and circumstances, let the above named petitioners, in the event of their arrest/surrender within a period of eight weeks from today, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Exclusive Court of POCSO, Siwan /



concerned Court in connection with Siwan Muffasil P.S. Case
No. 313 of 2025, subject to condition as laid down under
Section 438(2) of the Cr.P.C. / Section 482(2) of the B.N.S.S.

(Prabhat Kumar Singh, J)

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