

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76812 of 2025

Arising Out of PS. Case No.-731 Year-2025 Thana- BHABHUA District- Kaimur (Bhabua)

Chhotelal Bind @ Chhetelal Bind S/O Late Sita Bind R/O Village Sarangpur ,
P.s. Bhabua , District Kaimur At Bhabua

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXXXX D/O XXXX R/O Village Sarangpur , P.s. Bhabua , District Kaimur
At Bhabua

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan

For the Opposite Party/s : Mr. Chandra Bhushan Prasad

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 19-02-2026 Heard learned counsel for the petitioner and learned

Additional Public Prosecutor for the State. No one appears on
behalf of the opposite party no. 2 despite the fact that notice was
received by the opposite party no. 2 personally.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 126(2), 115(2), 74, 76, 3(5)
of the B.N.S. and Sections 8, 12 of the POCSO Act.

3. Petitioner is said to have tried to commit rape with
the informant.

4. Learned counsel for the petitioner submits that the
allegations levelled against the petitioner are not correct and as a
matter of fact the petitioner is co-villager of the victim and



scuffle had taken place when the petitioner had objected to the act of the victim easing herself in the field of the petitioner and such incident was wrongly transformed into an allegation of petitioner and co-accused dragging her forcefully by covering her mouth. It is further submitted that neither the FIR nor the statement of the victim under Section 183 of the B.N.S. discloses any allegation of any sexual assault etc. Further, the victim has also refused her medical examination which would appear from the case diary. Petitioner is in custody since 29.09.2025 with no criminal antecedent and charge-sheet has already been submitted.

5. Learned APP for the State has opposed the application for bail on the ground of the allegations made in the FIR.

6. Taking into consideration the facts and circumstances and also considering the fact that no allegation of any sexual assault etc. has been made either in the First Information Report or in the statement of the victim under Section 183 of the B.N.S.S., let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs.10,000/- (Rupees 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 Bhabua P.S. Case
No. 731 of 2025.

(Soni Shrivastava, J)

devendra/-

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