

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78487 of 2025

Arising Out of PS. Case No.-517 Year-2023 Thana- BELHAR District- Banka

1. Shyam Kumar @ Shyam Baran Mahto son of Lal Mohan Mahto @ Lallu Yadav Resident Of Village- Chhotki Kharui Police Station -Tetiya Bamper District -Munger
2. Rahul Kumar @ Rahul Yadav son of Ghyanshyam Yadav Resident Of Village- Chhotki Kharui Police Station -Tetiya Bamper District -Munger

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ishrat Raju Shekh Daughter of Raju shekh Resident Of Village- Gorgamma, Ps- Belhar, Dist- Banka

... .. Opposite Party/s

Appearance :

For the Petitioners : Mr. Balram Kapri, Advocate
For the State : Mr. Umeshanand Pandit, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

5 21-04-2026 Heard learned counsel appearing on behalf of the petitioners and learned APP appearing on behalf of the State.

2. The petitioners apprehend their arrest in a case registered for the offence punishable under Sections 341, 342, 323, 354B and 34 of the Indian Penal Code and Section 8 of the POCSO Act.

3. The prosecution case, in brief, is that on 18.12.2023 at about 7:30 AM, informant, along with her younger sister, went to the fields to attend call of nature, in the meantime, these petitioners, along with two unknown persons, came there,



threatened the younger sister of informant and forcibly dragged the informant to the grain fields and tried to molest her. Thereafter, when younger sister of the informant along with her father and other family members came to rescue, the accused persons fled away.

4. It is submitted by learned counsel appearing on behalf of the petitioners that petitioners are quite innocent and have committed no offence. As a matter of fact, father of informant has personal grudges against his brothers-in-law, namely Bikky Yadav and Pappu Yadav and these petitioners are known to Bikky Yadav and Pappu Yadav and only because of this fact, petitioners have falsely been implicated in this case. Moreover, the victim in her statement recorded under Section 164 of the Cr.P.C. has not named these petitioners.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioners.

6. Considering the facts and circumstances of the case, general and omnibus nature of accusation and statement of the victim recorded under Section 164 of the Cr.P.C., the prayer for grant of anticipatory bail to the petitioners is allowed.

7. Accordingly, in the event of arrest/surrender within



a period of eight weeks from today, let the above named petitioners be enlarged on bail on furnishing bail-bond of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of learned Judicial Magistrate Ist Class, Banka in connection with Belhar P.S. Case No. 517 of 2023, subject to condition as laid down under Section 482(2) of the B.N.S.S..

(Prabhat Kumar Singh, J)

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