

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81350 of 2025

Arising Out of PS. Case No.-1006 Year-2024 Thana- BHABHUA District- Kaimur (Bhabua)

1. Praveen Mishra @ Praveen Kumar Mishra S/o- Madan Mohan Mishra Village- Madhupur PS- Bhabua District- Kaimur Bhabua
2. Nand Kishore Mishra S/o- Madan Mohan Mishra Village- Madhupur PS- Bhabua District- Kaimur Bhabua

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. ABC D/o- XYZ Village- Madhupur PS- Bhabua District- Kaimur Bhabua

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rajesh Kumar Pathak
For the Opposite Party/s	:	Mr.Bhanu Pratap Singh
For the Informant	:	Mr. Dharmendra Kumar Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 13-03-2026 Heard learned counsel for the petitioners and
learned APP for the State.

2. The petitioners apprehend their arrest in connection with Bhabhua P.S. Case No. 1006 of 2024 registered for the offence under Sections 126(2), 115(2), 75, 76, 351(2), 3(5) of the BNS and under Section 8/12 of the POCSO Act.

3. As per the prosecution case, the allegation against the petitioners is of molesting the victim girl.

4. It has been submitted by the learned counsel for the petitioners that the petitioners are innocent and they have falsely been implicated in this case. He further submits that there is case and counter case between the parties and therefore



this false case has been lodged against the petitioners.

5. Learned counsel for the informant and State have opposed the application of the petitioners.

6. From the reading of the FIR and the materials available on record, it appears that because of dispute between the parties, the petitioners have been implicated in this case and it appears to be a mala fide prosecution.

7. Considering the aforesaid facts, this application is allowed.

8. Let the petitioners, above named, in the event of their arrest or surrender before the concerned Court below within four weeks from today, 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 Special Judge, POCSO-cum-District and Additional Sessions Judge-VI, Kaimur, Bhabhua/concerned Court below in connection with Bhabhua P.S. Case No. 1006 of 2024, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure, 1973 / Section 482 of the BNSS.

(Sandeep Kumar, J)

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