

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83013 of 2025

Arising Out of PS. Case No.-62 Year-2025 Thana- MAHILA P.S. District- Muzaffarpur

Chhotu Kumar @ Chotu Ray @ Chhotu Ray S/O Bhuvan Ray R/O Vill.-
Thatiya Nasi Tola, P.S.- Kathaiya, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. xxxx S/O Prabhu Ray R/O Vill.- Mehendi Nagar Bankat, P.S.- Baruraj,
Dist.- Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar

For the Opposite Party/s : Mr. Akshay Lal Pandit

CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

3 11-02-2026 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner apprehends his arrest in connection with Mahila P.S. Case No.62 of 2025, dated 22.08.2025 registered for the offence punishable under Sections 109, 74, 75, 78, 110, 190, 3(5) of the Bharatiya Nyaya Sanhita and Section 8 of the POCSO Act.

3. The prosecution case, in brief, is that the petitioner had allegedly been harassing the victim girl for about a year. It is alleged that on 27.06.2025, he followed her, attempted to outrage her modesty, and forcibly took her away; however, upon her raising an alarm, she was rescued. It is



further alleged that later the same evening, the accused persons went to the house of the informant, armed with weapons, and assaulted him and his family members.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case. Referring to Annexure-P/2, it is submitted that for the same and similar allegations, the informant had earlier lodged a complaint before the SHO, Baruraj. No action having been taken thereon, the informant is said to have filed Complaint Case No. 24 of 2025, and pursuant to the directions issued under Section 175 of the BNSS/ 156(3) of the Cr.PC, the FIR has been registered as the present case. It is further submitted that from a perusal of the complaint petition, it transpires that the earlier allegation of causing head injury by the petitioner has been modified. It is submitted that the case diary and injury report were called for, and upon perusal thereof, it appears that the victim refused to undergo medical examination; hence, no injury report is available on record. Lastly, it is submitted that the petitioner has no criminal antecedents.

5. On the other hand, the learned APP for the State has opposed the prayer for bail of the petitioner.



6. Taking into account the fact that the allegations do not stand corroborated by the nature of the injuries alleged, and that no injury report has been prepared on account of the alleged victim having refused to undergo medical examination, let the above-named petitioner be released on bail, in the event of his arrest or surrender before the learned Court below within a period of six weeks from today, 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 District & Additional Sessions-cum-Exclusive Special Judge, POCSO, Muzaffarpur/Successor Court in connection with Mahila P.S. Case No.62 of 2025, subject to the conditions as laid down under Section 482(2) of the BNSS as well as the following conditions:

(i) One of the bailors should be the family member/relative of the petitioner(s) who shall provide official document to show his/her bona fide;

(ii) the petitioner(s) shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his/her/their bail bond by the Trial Court itself;

(iii) the petitioner(s) shall in no way try to induce or



promise or threat the witnesses or tamper with the evidences,
failing which the State shall be at liberty to take steps for
cancellation of the bail bonds;

(iv) the petitioner(s) shall desist from committing any
criminal offence again, failing which the State shall be at liberty
to take steps for cancellation of their bail bonds.

(Ajit Kumar, J)

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