

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89667 of 2025

Arising Out of PS. Case No.-31 Year-2025 Thana- DALSINGHSARAI District- Samastipur

Mohit Kumar S/O Nandan Chandrabanshi @ Ramanandan Sah Resident of
village- Parnpura, P.S.- Dalsingsarai, Dist.- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sakshi Suman D/O Umesh Rajak Resident of Mokhtiyarpur, Salakhani,
Ward no. 15, P.S.- Dalsingsarai, Dist.- Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Subhash Kumar, Advocate

For the Opposite Party/s : Mr. Sadanand Paswan, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 18-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. Petitioner apprehends his arrest in a case registered
for the offences punishable under Sections 74, 76, 126(2),
115(2), 352 and 3(5) of B.N.S., 2023, Sections 8/12 of POCSO
Act as well as Section 3(i), (s), (w), 3(i)(r), 3(2), (va) of SC/ST
(POA) Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that while she was returning home after delivering milk
at 06:30 p.m. on 27.01.2025, when petitioner intercepted her
and asked for her mobile number, on which, she disclosed that



she does not keep mobile, further in the meantime, Lakshmi Mahto came and petitioner on seeing Lakshmi Mahto fled, next alleges that Lakshmi Mahto asked the informant what she was talking with the boy, on which, informant disclosed that Mohit was asking for her mobile number, on which, Lakshmi Mahto said that she is having illicit relations with the boy, thereafter Lakshmi Mahto acted inappropriately and forcefully took the informant behind Khajurbani and tried to commit rape but on alarm, passersby gathered and Lakshmi Mahto fled. It is next alleged that father of the informant tried to locate the Lakshmi Mahto but he was not located and on the next day when Lakshmi Mahto met, he said that he will again commit such occurrence, if they do not listen to him.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is next submitted that from perusal of the allegations, as alleged in the FIR, it would manifest that informant does not allege that petitioner in any manner had acted inappropriately with her rather from perusal of the allegations, it appears that it was Lakshmi Mahto who harassed and acted inappropriately with the informant.

5. Learned APP opposes the anticipatory bail



application.

6. Considering the submissions made by the learned counsel for the petitioner, let petitioner, above-named, in the event of his arrest or surrender within a period of six weeks from today, be released 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 learned Additional Sessions Judge-VI-cum-Special Court (POCSO), Samastipur in connection with Dalsingsarai P.S. Case No.31 of 2025, subject to the conditions as laid down under Section 482(2) of the B.N.S.S.

(Satyavrat Verma, J)

Sanjay/-

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