

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89408 of 2025

Arising Out of PS. Case No.-124 Year-2025 Thana- TIKAPATTI District- Purnia

Lal Bihari Yadav S/o Late Surendra Prasad Yadav Resident of Village -
Dhusar, P.S - Tikapatti, District - Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXX W/o Dilkhush Ravidas Resident of Village - Dhusar, P.S - Tikapatti,
District - Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajit Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 12-01-2026 Heard Mr. Ajit Kumar Singh, learned counsel for the
petitioner and Mr. Sadanand Paswan, learned APP for the State.

2. The petitioner has prayed for bail in connection with Tika Patti P.S. Case No. 124 of 2025 registered for the offence punishable under Sections 64, 62, 308(3) of the B.N.S., 2023 and Section 8 of the POCSO Act and Sections 3(i)(r)(s), 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

3. The case of the prosecution in short is that while the informant was cooking food at her house at 09:00 PM, the petitioner entered the house and started demanding cash for liquor. When the informant denied, she entered the room of her



minor sister-in-law. When she heard the cry of her sister-in-law, she went there, and her sister-in-law was crying and disclosed to her that the petitioner had opened her pants and was attempting to commit physical molestation.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. Learned counsel for the petitioner submits that during the course of investigation, the sister-in-law of the informant, who is a minor girl, has given her statement recorded under Section 183 of the BNSS, and the learned trial court has also recorded in its order “the victim has stated that Lal Bihari came into his house, searching for her brother, and asked her sister-in-law regarding him. He came into her room and started disrobing her; she pushed him and went near her sister-in-law. She has further stated that she was demanding cash from them and she has done nothing with her.” Learned counsel for the petitioner also submits that in this case, the fact is that the petitioner is a painter, and he has done some work of painting at the house of the informant, and he demanded his wages; the petitioner has been framed in this false case. Moreover, the victim herself has categorically stated that the petitioner has done nothing with her.



It has further been submitted that a statement has been made in para 3 of the petition that petitioner has no criminal antecedent and he is languishing in judicial custody since 13.10.2025.

5. The application for bail is opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Session Judge-VII-cum-Special Court (POCSO), Purnea in connection with Tika Patti P.S. Case No. 124 of 2025 in Pretrial No. BRPU01P0030722025 in Tika Patti P.S. Case No. 124 of 2025.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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