IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73278 of 2025

Arising Out of PS. Case No.-676 Year-2025 Thana- MOHANIYA District- Kaimur (Bhabua)

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Jokhan @ Jokhan Sant @ Dharmkant Sant S/O Ramakant Sant R/O Vill.- Bhitti,P.S - Mohaniya,Dist- Kaimur at Bhabua

... ... Petitioner/s

Versus

1. The State of Bihar
2. Gita Devi W/O Prabhu Narayan R/O Vill.- Bhitti, P.S - Mohaniya, Dist- Kaimur at Bhabua

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Akash Ambuj, Advocate
For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

3 21-01-2026 Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Mohaniya P.S. Case no. 676 of 2025 registered under sections 126(2), 115(2), 76, 64 and 62 of the Bharatiya Nyaya Sanhita, 2023 and sections 8 and 12 of the POCSO Act.

3. As per the prosecution case, the petitioner is said to have assaulted and outraged the modesty of the minor daughter of the informant as a result of which she fell unconscious and regained consciousness after three to four hours in the hospital.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case as a result of differences between the parties who are next door neighbours. The

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petitioner has no criminal antecedent and he is in custody since 5.8.2025. Referring to the order of the learned trial Court, it is submitted that even as per the medical report, there is no finding of rape.

5. The application for bail is opposed by learned APP for the State who submits that the petitioner is named in the FIR and there is direct allegation against him. Even in her statement under section 183 B.N.S.S., the victim has given a detailed description of the assault etc by this petitioner.

6. Having heard learned counsel for the parties and taking into consideration the facts and circumstances of the case, the material that has transpired in course of investigation specially the contents of the statement of the victim recorded under section 183 B.N.S.S., the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. Liberty is granted to the petitioner to renew his prayer for bail after six months or on framing of charge, whichever is later.

(Partha Sarthy, J)

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