

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2627 of 2025

Arising Out of PS. Case No.-515 Year-2024 Thana- MAJHAULIA District- West Champaran

Pintu Kumar S/O Late Dhanraj Sahani R/O Village- Senuariya, Ward No. 03,
P.S.-Majhouliya, Dist-West Champaran, Bettiah.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kamlavati Devi W/O Mundrika Sahani R/O Village- Senuariya, Ward No. 03, P.S.-Majhouliya, Dist-West Champaran, Bettiah.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sharda Nand Mishra, Adv.
For the Opposite Party/s	:	Mr.Mohammed Arif, APP
For the Informant	:	Ms. Preeti Kumari, Adv.

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 10-04-2025 Heard learned counsel for the petitioner and learned

APP for the State as also learned counsel for the Informant.

Perused the case diary.

2. The petitioner seeks bail in connection with
Majhouliya P.S. Case No. 515 of 2024 instituted for the
offences under Sections 126(2), 115(2), 74, 303(2), 352, 351(2),
3(5) of the B.N.S., 2023, Section 12 of the POCSO Act, Section
67 of the I.T. Act and Section 27 of the Arms Act.

3. The prosecution case, in short, is that the petitioner
after tampering the photo of the Informant's unmarried daughter
posted the same on the Facebook and defamed her with an
intention of intimidating her and her family members.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. He further submits that there is delay of nine days in lodging the F.I.R. that too without there being any plausible explanation for the same which creates doubt in the veracity of the prosecution case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged occurrence. In course of investigation, no positive evidence has come on record suggesting the complicity of the petitioner in the alleged occurrence. The petitioner has no criminal antecedent and is languishing in judicial custody since 02.11.2024 without any rhymes or reason. Charge-sheet has been submitted in this case.

5. On the other hand, learned A.P.P. for the State and the Informant have vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case as also taking into account the period of custody of the petitioner and the petitioner having no criminal antecedent, let the



petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Majhouliya P.S. Case No. 515 of 2024, subject to the following conditions;

(i) One of the bailor(s) shall be the own/close family members of the petitioner.

(ii) The petitioner shall cooperate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the Court and in the event of failure on two consecutive dates without sufficient reasons, his bail bond shall be liable to be cancelled by the court below.

(Rudra Prakash Mishra, J)

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