

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2128 of 2025

Arising Out of PS. Case No.-132 Year-2024 Thana- KARJAIN District- Supaul

Sushil Ram @ Sushil Kumar Ram Son of Gyanand Ram Resident of Village - Jagdishpur Ward No. 5, P.S. - Karjain, District - Supaul

... .. Petitioner/s

Versus

1. The State of Bihar
2. (Name Hidden) XXX Son of (Name Hidden) XXX Resident of Village - Padumpur Ward No. 2, P.S. - Karjain, District - Supaul

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Kamal Kishore Singh, Advocate
For the Opposite Party/s : Mrs. Usha Kumari 1, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 12-05-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with POCSO Case No. 105 of 2024, arising out of Karjain P.S. Case No. 132 of 2024 dated 03.09.2024 registered for the offences punishable under Sections 126(2), 127(2), 115(2), 76 and 78 read with Section 3(5) of the B.N.S., Section 67 of the I.T. Act, Section 8 of the POCSO Act and Sections 3(1)(r) and 3(1) (w) of the SC/ST Act.

3. As per the prosecution case, the marriage of the informant was fixed with the girl but due to economic condition, the in-laws family of the petitioner requested for



further time. In the meantime, the petitioner and other co-accused persons forced the informant to call the said girl and thereafter it is alleged that the named accused persons undressed the informant and the girl and made obscene videos of them and paraded both the girl and the informant and forcibly got them married. Later on, the videos were put on social electronic media, completely lowering the image of the two victims as also their family members.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. There is general and omnibus allegation leveled against him along with other named accused persons. Learned counsel further submits that the marriage of the informant and the victim girl was fixed four months ago and thereafter they solemnized marriage in the house of the victim. It is further submitted that the co-accuseds namely Subodh Paswan as also Akash Paswan against whom similar allegation has been leveled has already been granted bail by a coordinate Bench of this Court *vide* order dated 01.05.2025 passed in Cr. Misc. No. 87590 of 2024 and order dated 10.12.2024 passed in Cr.



Misc. No. 84043 of 2024 respectively. It is lastly submitted that the petitioner has clean antecedent and is in custody since 25.10.2024.

5. Learned A.P.P. for the State has vehemently opposed the prayer for bail petition of the petitioner and has stated that the petitioner is alleged to have made video viral of the said victim girl.

6. Considering the aforesaid facts and circumstances of the case and taking into account that the petitioner is in custody since 25.10.2024, let the above named petitioner, be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of the learned Special Judge, POCSO Act, Supaul in connection with Karjain P.S. Case No. 132 of 2024 with further condition:-

- a. One of the bailors of the petitioner shall be his close relative.
- b. The petitioner shall remain physically present in Court on each date of the trial.
- c. In case of absence on two consecutive dates, or in violation of the terms of the bail and if the prosecution is found involvement of the petitioner



in similar nature of offence, the bail bond of the petitioner will be liable to be canceled by the Court concerned.

- d. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Sourendra Pandey, J)

Prakash/-

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