

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8860 of 2025

Arising Out of PS. Case No.-362 Year-2023 Thana- DAUDPUR District- Saran

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Gandhi Singh @ Sikander Kumar Singh @ Sikander Singh S/o Parshuram
Singh @ Pashuram Singh Resident of Village- Siswa Khurd, P.S.- Daudpur,
District- Saran at Chapra.

... .. Petitioner/s

Versus

The State of Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ajay Kumar Sharma, Advocate

For the Opposite Party/s : Mr. Navin Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 07-03-2025 Heard learned counsel appearing on behalf of the

petitioner and learned Additional Public Prosecutor appearing

on behalf of the State.

2. The accused/petitioner is named in F.I.R. and
apprehending his arrest in connection with Daudpur P.S. Case
No. 362 of 2023, registered for the offences punishable under
Sections 147, 341, 323, 354(b), 504 and 506 of the Indian
Penal Code.

3.The allegation against the petitioner is to confine
unlawfully the daughter of the informant in a room belongs to
one Rajnath Singh with bad intention and also to outrage
modesty the wife of the informant during course of



occurrence, when the aforesaid occurrence of unlawful confinement was reported by informant and his wife.

4. Learned counsel appearing on behalf of the petitioner submitted that statement of victim/daughter of the informant was recorded under Section 164 of Cr.P.C., where she raised specific allegation only against co-accused Ayan as to close her in a room of one Raj Nath Singh with bad intention. Petitioner was not named in her statement recorded under Section 164 of the Cr.P.C. It is pointed out that petitioner found involved in one more criminal case of different nature, where he is on bail.

5. Learned APP opposes the prayer of bail.

6. Considering the aforesaid facts and circumstances and by taking note of statement of victim as recorded under Section 164 of Cr.P.C., where no incriminating statement *prima facie* available against this petitioner, thus by negating allegation as raised by informant through FIR, accordingly, above named petitioner, in the event of his arrest or surrender before the learned trial Court, within a period of four weeks of the order, is directed to be



released on bail furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Additional Session Judge (POCSO), Saran at Chapra/concerned Court, where the case is pending in connection with Daudpur P.S. Case No. 362 of 2023, subject to the conditions as laid down under Section 438(2) of the Cr.P.C./482(2) of the BNSS.

(Chandra Shekhar Jha, J)

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