

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5517 of 2025

Arising Out of PS. Case No.-48 Year-2024 Thana- KUDHNI District- Kaimur (Bhabua)

1. Parwej Ansari @ Parwej Alam Son of Mohammad Khilil Ansari Resident of Village - Dumduma, P.S. - Kudhani, District - Kaimur (Bhabhua)
2. Shamshad Ansari Son of Sahabuddin Resident of Village - Dumduma, P.S. - Kudhani, District - Kaimur (Bhabhua)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Informant/Victim Daughter of Vijendra Kumar Rai Resident of Village and P.O. - Dumduma, P.S. - Kudhani, District - Kaimur (Bhabhua)

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinod Kumar Seth, Adv.

For the Opposite Party/s : Mr.Uday Pratap Singh, A.P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

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

2. In the present case, the petitioners seek bail in connection with Kudhani P.S. Case No. 48 of 2024, registered for the offences under Sections 126(2), 351(2), 352, 74, 75, 76, 3(5) of the B.N.S. and Section 8, 12 of the POCSO Act.

3. As per the prosecution case, the petitioners used to eve tease the informant and her school mates while they had been going to attend their school. They further used to forcibly snatch their copy and books, bicycles and used obscene language. On the date of occurrence, they tried to forcibly take



the informant and other girls away on their motorcycle but the villagers reached there and the petitioners fled away from the spot.

4. Learned counsel appearing on behalf of the petitioners submits that the petitioners are innocent and have been falsely implicated in this case. No occurrence as alleged has ever taken place. The informant and petitioner no. 2 are co-villagers and they came into contact through Instagram and exchanged their mobile numbers. However, some dispute arose and they broke up and the informant falsely implicated the petitioner no. 2 in this case along with petitioner no. 1. Learned counsel further submits that the petitioners are aged about 19-20 years and petitioner no. 1 is having clean antecedent whereas petitioner no. 2 is having antecedent of one case in which he is on bail. The petitioners are in custody since 14.12.2024 and charge sheet has been submitted.

5. Learned A.P.P. appearing for the State opposes the submission made on behalf of the petitioners.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the nature of allegation and also considering the period of custody of the petitioner and submission of charge sheet, the petitioners



are directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned Special Judge, POCSO Act-cum-ADJ-VI, Kaimur at Bhabua/concerned court, in connection with Kudhani P.S. Case No. 48 of 2024, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:

- (i) One of the bailors will be a close relative of the petitioners.
- (ii) The petitioners will remain present on each and every date fixed by the below, if so required by the learned trial court.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioners will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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