

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14804 of 2025

Arising Out of PS. Case No.-59 Year-2024 Thana- Vishwavidalaya District- Bhagalpur

Kamleshwari Mandal @ Kamleshvery Mandal Son of Late Devi Mandal
Resident of Mohalla 34 Azhar Ali Lane, Near Kali Asthan, Parbatti, P.S.-
University, Distt.- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Ruby Devi Wife of Pappu Mandal Resident of Village- Parbatti, P.S.-
University, Distt.- Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Avinash Avinash, Adv.
For the Opposite Party/s : Mr.Uday Chand Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

3 23-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with University P.S. Case No.
59 of 2024 dated 29.09.2024 registered for the offences
punishable u/ss 65(2), 352, 351(2) of the B.N.S. and u/s 4 of
POCSO Act and Sections 66E, 67A of the I.T. Act.

3. As per the prosecution case, as per video's viral,
the petitioner was found penetrating his finger to the private
part of the minor daughter of the informant who is deaf and
dumb.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. The petitioner is a very old person and he is physically and mentally ill. The charge-sheet has been submitted against the petitioner. It is further submitted that the petitioner has no concern with the alleged offence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 30.09.2024.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioner and submitted that there is direct and specific allegation against the petitioner of finger penetration in the private part and molesting the minor deaf and dumb girl. Learned counsel has further submitted that during course of investigation, in para 43, the I.O. has collected the pen drive from one Saraswati Kumari who is a teacher at Swami Vivekanand Ashram from where she had captured the video in her mobile phone and made the said video viral. Further from perusal of record, it also transpired that the charge-sheet has been submitted against the petitioner for the offence u/ss 65(2), 352, 351(2) of the B.N.S. and u/s 4 of POCSO Act and Sections 66E, 67A of the I.T. Act.

6. Considering the aforesaid facts and circumstances of the case as well as the specific and heinous nature of



allegation against the petitioner, I am not inclined to enlarge the petitioner above-named on bail.

7. The learned trial court is directed to expedite the trial and conclude the same at the earliest.

8. The application stands rejected.

(Chandra Prakash Singh, J)

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