

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18499 of 2025

Arising Out of PS. Case No.-172 Year-2024 Thana- SIGAUDI District- Patna

Nitish Kumar Son of Shashi Bhushan Singh Resident of Village - Chandoj
Mathiya, P.S. - Sigori, District - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Saloni Kumari Daughter of Radhvendra Yadav Resident of Village- Devaria,
P.S. - Sigori, District - Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sudish Kumar, Advocate

For the Opposite Party/s : Ms.Shaheen Begum,APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 16-05-2025 Heard learned counsel for the petitioner and

learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection
with Special (POCSO) Case No. 04/2025 (arising out of
Sigori P.S. Case No. 172/2024) registered for the offences
under Sections 126(2), 127(2), 76, 3(5) of B.N.S. and
Sections 8 and 12 of POCSO Act.

3. The prosecution case in brief is that on
31.12.2024, the informant made a written application to the
SHO, alleging therein that when she was returning from her
study, three named accused persons including the petitioner
intercepted her and had forcefully, with the help of one boy,



thrown her in the field and thereafter, the victim try to flee, she was tied and was threatened to keep mum.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in this case due to some previous land dispute. Learned counsel further submits that there is case and counter case for the said incident and this petitioner had in fact received injuries in the assault made by the named accused persons and he was even admitted and treated for those injuries, as would appear from Annexure 'P/3'. The counter case was filed by the petitioner, as contained in Annexure 'P/2'. Learned counsel has lastly submitted that the petitioner has clean antecedent and is languishing in custody since 02.01.2025.

5. Learned counsel for the State has opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances of the case and taking into account the fact that allegation upon petitioner is general and omnibus, there is case and counter case and also taking into account



that the petitioner is in custody since 02.01.2025, let the petitioner above-named be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VII-cum-Special Court, POCSO, Patna in connection with Special (POCSO) Case No. 04/2025 (arising out of Sigori P.S. Case No. 172/2024) subject to the conditions :-

- 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, the bail bond of the petitioner will be liable to be cancelled by the court concerned.
- d. 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 afore-mentioned order shall not be delayed for purpose of or in the name of verification.

(Sourendra Pandey, J)

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