

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17125 of 2025

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

Chanda Kumar Son of Ravindra Yadav R/O-Village- Devariya, Post Office-
Chiksi, Police Station- Sigori, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Saloni Kumari D/O- Raghvendra Yadav Resident of village- Devariya , P.O.-
Shiski,, P.S.- Sigori, Distt.- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Raj Krishna Jha, Advocate

For the Opposite Party/s : Mr. Md. Iftekhhar Mahmood, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 27-06-2025 Heard learned counsel for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in a case, registered
for the offences punishable under Sections 126(2), 127(2), 76, 3(5)
of B.N.S. and Section 8/12 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, when the victim try to flee, she was tied and was
threatened to keep mum.

4. The learned counsel for the petitioner submits that



the petitioner is innocent and has falsely been implicated in this case and it is due to some previous land dispute the name of the petitioner has been inserted in the present case. The learned counsel has further stated that the informant has entered into a compromise with main co-accused, Nitish Kumar and in the said compromise which was filed before the learned Court below, it has been stated that the parties have entered into a compromise and the prosecution party would not oppose the prayer for bail of the co-accused. The learned counsel has lastly submitted that the petitioner is in custody since 02.01.2025, though he has antecedent of one case but he is on bail in the said case.

5. The learned counsel for the informant as well as the learned A.P.P. for the State does not dispute the factum of compromise entered between the parties.

6. Considering the aforesaid submissions made by the respective parties and taking into account the fact that there is a compromise between the parties and a compromise petition has been filed by the respective parties before the learned court below and also taking into account that the petitioner is in custody since 02.01.2025, I am inclined to grant the petitioner privilege of regular bail.

7. Accordingly, the prayer for bail is allowed.



8. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned court below where the case is pending /concerned court, in connection with Special (POCSO) Case No. 4 of 2025, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative.

(ii) The petitioner shall remain physically present in Court on each date of the trial.

(iii) 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.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.

(v) The learned 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.



9. It is made clear that the observations, if any, made
in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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