

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17717 of 2025

Arising Out of PS. Case No.-202 Year-2024 Thana- SANGRAMPUR District- Munger

Rustam Kumar Son of Ashok Mandal @ Fantus Resident of Village-
Shreepur, P.S.- Sangrampur, District- Munger

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shobha Devi Wife of Chandan Manjhi Resident of Village - Jhitti, P.S. - Sangrampur, District - Munger

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bharat Lal, Adv.
Mr. Rabindra Kumar, Adv.
For the Opposite Party/s : Mr. Nand Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 24-06-2025 Heard learned counsel for the petitioner and learned
APP for the State. In spite of valid service of notice upon the
O.P. No.2, no one turned on her behalf. Perused the case diary.

2. The petitioner seeks bail in connection with
Sangrampur P.S. Case No. 202 of 2024 instituted for the
offences under Sections 352 and 96 of the Bhartiya Nyaya
Sanhita and Section 8 of the POCSO Act.

3. As per prosecution case, the accusation has been
made against the petitioner of taking away the victim girl on a
motorcycle when the victim girl and her sister were waiting for
school bus on a road with an intention of marriage. It is alleged
further alleged that when the Informant went to the house of the



petitioner for enquiry, she was allegedly abused by the mother of the petitioner.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case. The petitioner has not committed any offence as alleged in the F.I.R. Learned counsel for the petitioner submits that in the statement of the victim girl recorded under Section 180 of the B.N.S.S., she has stated that she herself left the house without informing any member of her family and, thus, has not made any allegation of any overt act against the petitioner. The statement of the victim girl was also recorded under Section 183 of the B.N.S.S. in which she has also not made any specific allegation against the petitioner. He further submits that there is delay of five days in lodging the F.I.R. that too without there being any plausible explanation for the same which creates doubt in the veracity of the prosecution case. The victim girl has refused for her medical examination. The petitioner has no criminal antecedent and is languishing in judicial custody since 28.10.2024 without any rhyme or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner,



stating that the offence alleged against the petitioner is serious in nature. Charge-sheet has been submitted in this case. The petitioner is named in the F.I.R. and, hence, he does not deserve bail.

6. Having heard rival contention of both the parties and considering the entire facts and circumstances of the case, the period of custody of the petitioner, the petitioner having no criminal antecedent as also taking into account the statement of the victim girl recorded under Sections 180 and 183 of the B.N.S.S., let the petitioner, abovenamed, be released on bail on furnishing bail bonds of Rs.10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Sangrampur P.S. Case No. 202 of 2024.

(Rudra Prakash Mishra, J)

rishi/-

U		T	
---	--	---	--

