

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24492 of 2025

Arising Out of PS. Case No.-30 Year-2024 Thana- Sarbahada District- Gaya

Amlesh Kumar Son of Ajay Kumar @ Ajay Sao Village- Sarbahda
(Sarbahada), PS -Sarbahda (Sarbahada) District -Gaya

... .. Petitioner/s

Versus

1. The State of Bihar bihar
2. Sagar Kumar son of Jitendra Sao Village- Sarbahda (Sarbahada), PS
-Sarbahda (Sarbahada) District -Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sandip Kumar Gautam, Advocate

For the Opposite Party/s : Mr. Kalyan Shankar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 15-07-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the offences punishable under Sections 341, 323, 354(A), 504 and 506 of Indian Penal Code and also under Section 8/12 of the Protection of Children from Sexual Offences Act, 2012.

3. As per the prosecution case, It has been alleged that the petitioner had caught hold the hand of the sister of the informant and molested her indecently and thereafter threatened her of dire consequences.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated and no such occurrence



has taken place as alleged in the FIR. It has next been submitted that the petitioner and the informant side are next door neighbours and there existed a dispute prior to the said occurrence and hence, in order to settle the personal score, the present case was lodged. Learned counsel has pointed out that during the course of investigation, the police had also taken note of the fact that no independent witness had come forward to support such incident and has also taken note that there was some dispute between the parties due to some financial transactions. It has further been submitted by learned counsel for the petitioner that the parties have compromised. It has also been submitted that petitioner has clean antecedent and is in custody since 04.02.2025.

5. Learned counsel for the Informant states that the parties have compromised and as such he is not opposing the prayer for bail, however, learned A.P.P. for the State has opposed the prayer for bail and has stated that there is serious allegation against the petitioner of molesting a minor girl.

6. Considering the aforesaid submissions, 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/successor court in connection Sarbahda (Sarbahada) P.S. Case No. 30 of 2024, subject to the following conditions:-

(i) One of the bailors of the petitioner shall be his close relative and the other shall be local resident.

(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) 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.

7. Accordingly, the prayer for bail is allowed.

(Sourendra Pandey, J)

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