

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22934 of 2025

Arising Out of PS. Case No.-274 Year-2024 Thana- PAROO District- Muzaffarpur

Pankaj Kumar S/o Ramishwar Ram @ Rameshwar Ram R/o Village- Naya Tola, P.O.- Laloo Chapra, P.S.- Paroo, District -Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bachiya Devi W/o Gonaur Ram R/o Vill- Naya Tola, Post- Laloo Chapra

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Santosh Kumar, Adv
For the Informant	:	Mr. S.B.K. Mangalam, Adv
		Mr. Awnish Kumar, Adv
For the Opposite Party/s	:	Mr. Usha Kumari 1, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 17-07-2025 Heard learned Counsel for the petitioner and learned counsel for the informant as well as learned A.P.P for the State.

2. The petitioner seeks regular bail in a case registered for the offences punishable under Sections 103(1), 70(2)/3(5) BNSS, Sections 4/6 of POCSO Act and Sections 3(i)(r), 3(i)(s), 3(2)(v) and 32 (2) (va) of SC/ST Act

3. The prosecution story, in short, is that the informant in her written report has alleged that her son Sunil Ram along with her husband and their minor daughter namely Rupa Kumari were sleeping when the co-accused Sanjay Rai along with his five friends came on motorcycles and abused the informant as well as her husband and son and threatened that



they would commit rape upon her daughter. Thereafter, she further alleged that they forcibly entered into the house and assaulted the informant and others and they forcibly took away her daughter namely Rupa Kumari on the motorcycle. The informant had stated that she looked for her daughter whole night, however, the next day, i.e., on 12.08.2024 she was informed that her daughter's body was found with her torn clothes and her feet tied with rope. The informant had further alleged that co-accused Sanjay Rai along with his friends had forcibly taken away her daughter and had committed rape upon her and subsequently they had killed her.

4. Learned counsel for the petitioner has submitted that the petitioner is not named in the FIR and the name of the petitioner has surfaced in the confessional statement of the co-accused Sanjay Rai. It is also submitted that there is nothing on record to connect the petitioner with the said crime as during the course of investigation nothing incriminating has been found which would connect the petitioner with the alleged incident. It is also submitted that similarly situated co-accused person, namely, Chunnu Kumar, has already been granted bail by this Court vide order dated 15.04.2025 passed in Cr. Misc. No. 89610 of 2024. It is lastly submitted that the petitioner has clean



antecedent and is in custody since 20.08.2024.

5. Learned counsel for the informant submits that the informant's minor daughter Rupa Kumari was brutally killed by Sanjay Rai and his associates and the petitioner was one of them as his name has transpired on the basis of the confessional statement of the co-accused Sanjay Rai. Learned A.P.P. for the State has also supported the submissions made by the learned counsel for the informant and stated that Sanjay Rai had named the petitioner as one of the accomplice in the crime and a reference to the confessional statement of the petitioner was also there in the case diary, hence, he does not deserve the liberty of bail.

6. Considering the aforesaid submissions of learned counsel for the petitioner and the fact that nothing incriminating has been found to connect the petitioner barring the alleged confessional statement of the co-accused Sanjay Rai, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Muzaffarpur, in connection with Paroo P.S. Case No. 274 of 2024, subject to the following conditions:-

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



(ii) The petitioner will remain present on each and every date fixed by the Court below, if so required by the learned Trial Court.

(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 canceled by the Court concerned.

(iv) If the petitioner is found involved in similar nature of offence in future, the prosecution will 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 the same or in the name of verification.

7. The application stands allowed.

(Sourendra Pandey, J)

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