

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27790 of 2025

Arising Out of PS. Case No.-8 Year-2025 Thana- MAHILA P.S District- West Champaran

Subhash Kumar S/o Shukhram Ram @ Shri Shukhram Ray Resident of Vill-
Kathaiya, Vishunpura Tola, Semarahi, Ward No-02, P.S.- Jagdishpur, Dist
-West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sudha Kumari W/o Girish Prasad The Officer in Charge, Bettiah Mahila
Police Station, P.s.- Bettiah Town, Distt.- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sanjeev Kumar, Advocate Mr. Sitesh Kashyap, Advocate
For the Opposite Party/s	:	Mr. Amitesh Kumar, APP

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

ORAL ORDER

8 30-10-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Bettiah
Mahila P.S. Case No. 08 of 2025, instituted for the offences
punishable under Sections 64, 65(1), 143(1), 145, 98, 3(5) of the
Bharatiya Nyaya Sanhita, 2023, read with Sections 6, 8, 12 of
POCSO Act, Sections 75, 79 of J.J. Act, Sections 3, 4, 5, 6 of
I.T. Act, Sections 16, 17 and 18 of the Bounded Labour System
Act.

3. The informant filed a complaint before the ADJ,
Champaran, based on an NCPCR tip-off, leading to raids at



seven locations by the police team. Sixteen girls were rescued, and victims gave statements under Section 180 BNSS alleging repeated sexual assaults, exploitation for dance, and being forced into sexual activities by various accused associated with different orchestra groups.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Learned counsel for the petitioner also submits that the allegation levelled against the petitioner is general and omnibus in nature. It is further submitted that the petitioner has not committed any such offence as alleged in the FIR. The petitioner is in custody since 23.02.2025 and have got no criminal antecedent. Petitioner is the operator of the orchestra. Learned counsel specifically submits that two victims who were recovered has not stated anything overt against the petitioner in her statement recorded under Section 183 of the BNSS, 2023. Other co-accused has been granted bail by a Co-ordinate Bench of this Court vide order dated 10-09-2025, passed in Cr. Misc. No. 45403 of 2025.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of



bail to the petitioner and submits that on perusal of record it appears that the several victims are minor girl. It is specifically submitted that co-accused Dhamu Sah used to inappropriately touch the body of victim, during dance on the stage, co-accused Ravi Ranjan Choube @ Ravi Ranjan Choubey, established illicit relation with one of the victims. Bail of other co-accused has been rejected by this Court vide order dated 05-08-2025, passed in Cr. Misc. No. 30142 of 2025.

6. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and claim based on parity since there is no specific allegation against the petitioner even in the statement of the two victims recorded under Section 183 of the BNSS, 2023, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail, ***after framing of charge, if not already framed***, on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Bettiah Mahila P.S. Case No. 08 of 2025, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.



(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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