

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28388 of 2025

Arising Out of PS. Case No.-81 Year-2024 Thana- MURAR District- Buxar

Sanjay Sah @ Sanjay Kumar Gupta son of Late Kanhaiya Sah Resident of
Village and PS- Murar, District- Buxar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gandhiji son of Parasnath Prasad Resident of Village and PS- Murar,
District- Buxar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Siddharth Harsh
For the Opposite Party/s : Mr.Umesh Lal Verma

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 07-05-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. This application is for grant of regular bail in connection with Murar P.S. Case No.81 of 2024, registered for the offences under Sections 137(2), 96 of the Bhartiya Nyaya Sanhita and Section 4, 6 of the POCSO Act.

3. The petitioner is in custody since 19.03.2023 and he claims clean antecedent. The petitioner is not named in the FIR. His name transpired in subsequent statement of the victim taken by the police after two months of the alleged occurrence. The victim in her earlier statement before the police as well as in her statement under Section 183 of the BNSS did not name the petitioner and disclosed that she went out of her



house on her own will because her brother had scolded her.

4. From the aforesaid it appears that the petitioner was not named in the statement of victim recorded under Section 180 and 183 of the BNSS. He has been named subsequently after two months.

5. Considering the facts and circumstances of the case, this application is allowed.

6. 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 Special Judge, POCSO, Buxar/concerned Court below, in connection with Murar P.S. Case No.81 of 2024.

7. At the time of accepting the bail bonds of the petitioner, the Court below shall verify the fact whether the statement made in para-8 of the bail application is true or not. If it is found that the statement in para-8 of the bail application is true then only the bail bonds of the petitioner shall be accepted otherwise appropriate order shall be passed.

(Sandeep Kumar, J)

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