

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30786 of 2025**

Arising Out of PS. Case No.-310 Year-2024 Thana- BARUN District- Aurangabad

Md. Irshad Khan S/o Md. Israr Khan, R/o Village- Bhallu Khaira, P.S.-
Rafiganj, District- Aurangabad, Bihar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Rupa Kumari, Adv.

For the Opposite Party/s : Mr. Syed Mojibur Rahman, APP

**CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER**

3 13-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection
with Barun P.S. Case No.310 of 2024 registered for the offence
punishable under Section 96 of the BNS.

3. Allegedly, the minor daughter of the informant
went to college; however, she did not return till evening. The
informant came to know that two accused persons, namely,
Lokan Kumar and Anup Kumar used to talk to his daughter.
When he tried to contact them, their mobiles were found
switched off. The accused persons were also not found at their
home and, on suspicion, the present FIR came to be instituted.

4. Learned counsel for the petitioner contended that
the petitioner is not named in the FIR. When both the accused



persons and the victim were apprehended by the police, they narrated a story that while the accused persons along with the victim were returning from Rafiganj, at isolated place, some of the persons including the petitioner intercepted them and started eve teasing. On request being made, they released the victim girl and the accused persons on payment of Rs.8000/-. Out of Rs.8000/- Rs.5000/- is said to have been given on PhonePe of the petitioner. It is further contended that, in fact, the money, which was paid to the petitioner is nothing but the same has been returned, as it was earlier taken by co-accused Anup Kumar. The falsity of the allegation is writ large, as neither the victim nor co-accused Anup Kumar and Lokan Kumar have ever lodged any case against the petitioner either for wrongfully restrained them or extracting money. In order to save their skin, the present concocted story has been made out. The petitioner bears fair antecedent and he undertakes that he will fully cooperate in the proceeding of the Court.

5. On the other hand, learned counsel for the State opposed the bail application and submitted that serious allegation has been levelled against the petitioner.

6. Regard being had to the submissions made on behalf of the parties and taking note of the fact that no complain



or any FIR has been instituted against the petitioner with respect to the alleged occurrence by the victim or co-accused Anup Kumar and Lokan Kumar, apart from the fair antecedent and the materials collected during the course of investigation, let the above named petitioner, be released on bail, in the event of his arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Exclusive Judge (POCSO), Civil Court, Aurangabad in connection with Barun P.S. Case No.310 of 2024, subject to the condition as laid down under Section 482(2) of the BNSS, with further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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