

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33285 of 2025

Arising Out of PS. Case No.-109 Year-2025 Thana- PALIGANJ District- Patna

Shailesh Kumar S/O Rambali Bind R/O Village- Pipardanha Bangla Sarsi,
P.O- Sarsi, P.S- Paliganj, Distt.- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kariman Das S/O Late Arjun Das R/O Village- Pipardanha Bangla, P.S-
Paliganj, Distt.- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Pawan Kumar, Advocate Mr.Dhaneshwar Vashist, Advocate
For the State	:	Mr.Sadanand Paswan, Spl. P.P.
For the Informant/O.P.No.2:	:	Mr. Kumar Sunil, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

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

Spl.P.P. for the State as well as learned counsel appearing on

behalf of the informant/opposite party no. 2.

2. In the present case, the petitioner seeks bail in connection with Special (POCSO) Case No. 81 of 2025, arising out of Paliganj P.S. Case No. 109 of 2025 registered for the alleged offences under Sections 77, 78, 76 of B.N.S., Section 67(B) of I.T. Act, Sections 3(1)(w)(i)/3(2)(va) of SC/ST (Prevention of Atrocities) Act and Sections 12/14 of POCSO Act.

3. As per prosecution case, while the minor daughter



of the informant has been returning after offering puja in Shiv temple, the petitioner molested and abused her and took her photograph, uploaded it on facebook with obscene song in background. When the informant went to the house of the petitioner to make complaint, he was abused and threatened with life.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The informant has lodged this case due to old enmity. Learned counsel further submits that the facebook account of the petitioner was hacked and as soon as he came to know about viral video, he deleted the same. Learned counsel further submits that the petitioner is a married man having two children and he is in custody since 28.02.2025 and charge sheet has been submitted. The petitioner is having clean antecedent.

5. Learned APP as well as learned counsel appearing on behalf of the informant/opposite party no. 2 vehemently oppose the submission made on behalf of the petitioner. Learned counsel for the informant/opposite party no. 2 submits that despite of being married man with two children, the petitioner molested the abused the minor daughter of the informant. Learned counsel further submits that the trial has been



continuing in this case and two witnesses have been examined.

6. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the trial has started and further custodial interrogation of the petitioner might not be required and also considering the period of custody of the petitioner, his clean antecedent and submission of charge sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District & Sessions Judge-VII -cum- Special Judge (POCSO), Patna/concerned Court in connection with Special (POCSO) Case No. 81 of 2025, arising out of Paliganj P.S. Case No. 109 of 2025, subject to the conditions mentioned in Section 480(3) of B.N.S.S. and also the following conditions :

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three



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.

(Arun Kumar Jha, J)

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