

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33516 of 2025

Arising Out of PS. Case No.-376 Year-2025 Thana- NAWADA District- Nawada

Jairam @ Jai Ram Prasad Kushwaha @ Jayram Prasad S/O Mahavir Prasad
R/O Village-Dadaur, Akauna Bazar, PS-Muffasil, Distt-Nawada

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bandana Devi W/O Bablu Prasad Gupta R/O Mohalla-Pulice Line, Rajendra Nagar Sector- A, PS-Nagar, Distt-Nawada

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. N.K Agrawal, Sr. Advocate
	:	Mr. Kumar Rajdeep, Advocate
For the Informant	:	Mr. Saroj Kumar Choudhary, Advocate
For the Opposite Party/s	:	Mr. Dr. Kumar Uday Pratap, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 10-07-2025 Heard Mr. N.K Agrawal, learned senior counsel for the petitioner, Mr. Saroj Kumar Choudhary, learned counsel for the Informant and Mr. Dr. Kumar Uday Pratap, learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Nawada Nagar P.S. Case No. 376 of 2025, F.I.R. dated 18.04.2025 for the offences punishable under Sections 76 of the Bhartiya Nyay Sanhita, 2023 and Section 8 of POCSO Act.

3. As per the First Information Report, the informant alleged that when her daughter went to submit the scholarship



papers, the petitioner tried to molest her daughter by touching her back etc.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that both the parties have filed a compromise petition before the learned Court below and the informant has stated in the compromise petitioner that she is not eager to pursue the matter.

5. The learned Additional Public Prosecutor vehemently opposed the prayer for bail of the petitioner.

6. Learned counsel for the Informant supports the contention of the learned counsel for the petitioner and fairly submits that the informant has filed the compromise petition.

7. Considering the aforesaid facts and circumstances, let the petitioner, above named, in the event of arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, 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 Additional District & Session Judge-cum-Special Judge (POCSO Act), Nawada in connection with Nawada Nagar P.S. Case No. 376 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik



Suraksha Sanhita and with other following conditions:-

i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the 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 bond in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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