

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38804 of 2025

Arising Out of PS. Case No.-35 Year-2025 Thana- Nagara District- Saran

Arbind Kumar Ram @ Arbind Kumar Ram @ Aarbind Kumar Ram Son of
Rajendra Ram Resident of village - Tenua, P.O.- Tejpurwa, P.S.- Marhaura,
District - Chapra (Saran).

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Kavita Devi Wife of Anil Ram Resident of Village - Banni, P.O. and P.S.-
Nagra, District - Saran at Chapra.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukesh Kumar Suman, Advocate
For the Opposite Party/s : Mr.Sadanand Paswan, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 01-11-2025 Heard the parties.

2. The petitioner seeks bail in connection with Nagra
P.S. Case No. 35 of 2025 registered for the offence under
Sections 76, 351(2) & (3) of the B.N.S., Section 8 of the
P.O.C.S.O. Act and Sections 3(i)(r)(s)/ 3(2)(v) of the SC/ST
Act.

3. The petitioner is named in the F.I.R. and is in
custody since 11.03.2025.

4. The allegation against the petitioner is of sexually
harassing the informant while going to attend her school. The
victim was student of intermediate.



5. Learned counsel appearing on behalf of the petitioner submitted that petitioner falsely implicated in present case and the main allegation is available against co-accused Lalu Kumar, where this petitioner was one of his associate who accompanied Lalu Kumar occasionally. It is also submitted that this is not a case of sexual assault and for said reason no medical examination was conducted upon victim. Learned counsel also submits that till now not even the victim was examined and thus the timeline as prescribed under Section 35(1) of the P.O.C.S.O. Act appears completely defeated and there is no likelihood that the trial of the case would complete within preferred time limit as prescribed under Section 35(2) of the P.O.C.S.O. Act. While concluding the argument, it is submitted that petitioner is in custody for about 8 months and he is a man of clean antecedent.

6. Learned APP, opposed the prayer of bail.

7. Mr. Krishna Kumar Yadav, learned counsel for the informant while opposing the prayer for bail fairly submitted that medical examination was not conducted upon victim. It is submitted that petitioner accompanied co-accused Lalu



Kumar who harassed the victim while she was going to attend her school.

8. In view of aforesaid facts and circumstances and by taking note of fact as the thrust of sexual harrasment is prima-facie available against co-accused Lalu Kumar coupled with the fact that investigation of the case is already completed, where petitioner being a man of clean antecedent remained in custody for about eight months, accordingly petitioner above named, is directed to be released on bail in connection with Nagra P.S. Case No. 35/2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Additional Sessions Judge (POCSO), Saran, Chapra /concerned court, subject to the conditions as mentioned under Section 437(3) of the Cr.P.C/ Section 480(3) of BNSS.

(Chandra Shekhar Jha, J)

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