

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38174 of 2025

Arising Out of PS. Case No.-107 Year-2024 Thana- DHANKUND District- Banka

Md. Taufik Alam @ Md. Taufik S/o Md. Jainul Resident of village-
Bhagaundha, PS- Dhankund, District- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. [REDACTED] Resident of Village- Bhagaundha, PS- Dhankund,
District- Banka

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Sudhir Kumar Mishra, Advocate
For the State	:	Mr. B.N. Pandey, APP
For the Informant	:	Mr. Pankaj Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 02-09-2025 Heard learned counsel for the petitioner, learned
counsel for the Informant and Mr. B.N. Pandey, learned APP for
the State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under Sections 69 and 3(5)
of the Bharatiya Nagrik Suraksha Sanhita, 2023 and under
Section 4 of the POCSO Act.

3. The case of the prosecution is that victim/minor girl
was on talking terms with the petitioner. It has been stated that
they had developed relationship. It is further alleged that on
24.10.2024 the petitioner called the victim girl in *bahiyaar* and
established physical relationship on the terms of marriage.
When the victim/the informant went to complain, she was being



abused by the family members of the petitioner. After that a *panchayati* was held but there also she could not get justice.

4. Learned counsel for the petitioner has submitted that as per the FIR physical relationship was established on 24.10.2024 whereas the FIR was lodged on 03.11.2024. There is delay in filing of the FIR. The petitioner is a man of clean antecedent and in custody since 03.12.2024.

5. Learned counsel for the informant has submitted that in medical examination the age of the victim is assessed between 14 to 16 years. The victim has given her statement under Section 183 of the BNSS wherein she has supported her case.

6. The Doctors have not found any injury on any part of the body of the victim and no sign of external injury over any exposed part, so the statement of the victim regarding establishing physical relationship is not substantiated with the medical evidence. There is delay in filing of the FIR which is not explained.

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with



Dhankund P.S. Case No. 107 of 2024 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-6-cum-Special Judge, POCSO, Banka.

(Ashok Kumar Pandey, J)

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