

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.40047 of 2025**

Arising Out of PS. Case No.-49 Year-2023 Thana- COMPLAINT CASE -  
MUZAFFARPUR(EAST) District- Muzaffarpur

=====

Kamlesh Sahani @ Kamlesh Kumar S/O Chandeshwar Sahani Resident of  
Vill.- Bishautha, P.S.- Katra, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Baby Devi W/O Kedar Rai Resident of Shivdaspur, P.S.- Katra, Dist.-  
Muzaffarpur.

... .. Opposite Party/s

=====

**Appearance :**

|                          |   |                                         |
|--------------------------|---|-----------------------------------------|
| For the Petitioner/s     | : | Mr. Neeraj Kumar Alias Sanidh, Advocate |
| For the Opposite Party/s | : | Mr. Jharkhandi Upadhyay, APP            |
| For the Complainant      | : | Mr. Uttam Kumar, Advocate               |
|                          | : | Mr. Alok Kumar Alok, Advocate           |

=====

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH  
MISHRA**

ORAL ORDER

4      15-10-2025                      Heard learned counsel for the petitioner, learned  
counsel for the complainant and learned APP for the State.

2. The petitioner seeks bail in connection with  
Complaint Case 49 of 2023 instituted for the offences under  
Sections 323, 504, 506/34 of the Indian Penal Code and  
Sections 8/12 of the POCSO Act.

3. The prosecution case, in brief, is that the accused  
Guddu Kumar and petitioner Kamlesh Sahani allegedly  
followed the complainant's daughters, circulated their



objectionable video, and later assaulted and looted the complainant's relative when objected.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel for the petitioner submits that general and omnibus allegation has been made against the petitioner. Learned counsel further submitted that there is a delay of fourteen days in lodging the complaint without plausible explanation, which in itself, raises doubt over the prosecution story. Learned counsel further submitted that except the offences under POCSO Act, all other offences are bailable in nature. It has been submitted on behalf of the petitioner that the petitioner is in custody since 15.05.2025 and has no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the complainant vehemently opposed the prayer for grant of bail to the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also the period of custody undergone by the petitioner, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- ( Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court



below/concerned Court in connection with Complaint Case 49 of 2023, subject to the following conditions:

(I) One of the bailors shall be own/close member of the family of the petitioner.

(II) The petitioner shall appear on each and every date fixed at the trial. In case of default in such appearance on two consecutive dates, the Trial Court will have liberty to cancel the bail bonds of the petitioner.

(III) 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.

**(Rudra Prakash Mishra, J)**

Alok Verma/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

