

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49208 of 2025

Arising Out of PS. Case No.-103 Year-2025 Thana- KASBA District- Purnia

Md. Sarfaraz Md. Faruque Ansari @ Farooque Resident of Vill.- Haji Nagar
Garhbanaili, P.S.- Kasba, Distt.- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ram Vilash Chaudhary S/O Late Rudal Chaudhary Resident of Vill.- Haji Nagar, Ward no. 12, Garhbanaili, P.S.- Kasba, Distt.- Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Md Hussain, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

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

ORAL ORDER

5 24-11-2025 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Kasba
P.S. Case No. 103 of 2025, instituted for the offences punishable
under Sections 96, 3(5) of the Bharatiya Nyaya Sanhita, 2023
and Section 8 of POCSO Act.

3. The prosecution case, in short, is that the petitioner
along with other co-accused person has enticed away
informant's minor daughter.

4. Learned counsel for the petitioner submits that the
petitioner is innocent and has falsely been implicated in the
present case. Charge-sheet has been submitted in this case.



Learned counsel for the petitioner also submits that the allegation levelled against the petitioner is not specific rather the same is general and omnibus in nature. It is further submitted that the victim in her statement recorded under Sections 180 and 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has stated that the petitioner has done nothing wrong with her. The petitioner is in custody since 29.04.2025 and has got one criminal antecedent in which he is on bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submits that the petitioner is named in the FIR there is specific allegation against him of luring informant's minor daughter. It is further submitted that the victim has supported the prosecution case in her statement recorded under Sections 180 and 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023. Hence, the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected. The trial Court is directed to expedite the Trial. However, if the trial is not concluded within a period of five months from the date of receipt/production, the



petitioner will have liberty to renew his prayer for bail in the
Court below.

(Rudra Prakash Mishra, J)

Rajorshi/-

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