

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50109 of 2025

Arising Out of PS. Case No.-137 Year-2024 Thana- SANHAULA District- Bhagalpur

Bajarangi Pandit @ Bajarangi Kumar Son Of Fekan Pandit Resident Of
Village- Mahadevapur, P.S.- Sanhaula, Distt.- Bhagalpur

... .. Petitioner

Versus

1. The State of Bihar
2. Renu Devi Wife Of Madan Pandit Resident Of Village-Mahadevpur, P.S.-
Sanhaula, Distt.- Bhagalpur

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Prerna Anand, Advocate

For the Opposite Party/s : Mr.Pramod Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

6 24-11-2025 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State.

2. The accused/petitioner seeks bail in connection
with Sanhaula P.S. Case No. 137 of 2024 (POCSO Case
No. 253/2024) registered for the offences under Sections
65(1)/96 of the Bhartiya Nyay Sanhita, 2023 (in short, the
'B.N.S.') and section 4 of the POCSO Act.

3. The accused/petitioner is named in the First
Information Report and is in custody since 29.08.2024.

4. Allegation against the petitioner is to kidnap the
minor daughter of the informant who is a student of Class –
Xth for the purpose of illicit intercourse/marriage with



another person.

5. It is submitted by learned counsel appearing on behalf of the petitioner that from the statement of victim recorded under section 180 & 183 of the B.N.S.S., it can be gathered safely that she left her house on her own will and solemnized marriage with this petitioner in a temple and thereafter she went to Delhi with this petitioner by Train where she lived together for a considerable period of time as husband and wife. It is submitted that victim became pregnant and still she is living with this petitioner's family happily and only for the reason that the victim found minor on the basis of her school certificate, the petitioner was apprehended with the present allegation. It is pointed out that despite of custody period of petitioner for about one year, victim was not examined in this case within the timeline as provisioned under section 35(1) of the POCSO Act and further preferred timeline to conclude the trial in terms of 35(2) of the POCSO Act, also appears crossed.

6. While concluding argument, it is submitted that petitioner is a man of clean antecedent and, moreover,



investigation of this case is already concluded and as such, there is no chance of tampering with the evidence.

7. Learned A.P.P. for the State has opposed the prayer for bail of the petitioner.

8. Despite service of notice, none appeared on behalf of the informant to join the present proceeding.

9. In view of aforesaid factual submission and by taking note of the fact as the petitioner remains in custody since 29.08.2024, where not even a single prosecution witness appears examined in this case by the learned trial court defeating the timeline as provisioned under section 35(1) and also 35(2) of the POCSO Act, where investigation of this case is already completed, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court of POCSO-cum-VIIth Additional Sessions Judge, Bhagalpur/concerned court, in connection with Sanhaua P.S. Case No. 137 of 2024 (POCSO Case No. 253/2024), subject to the



condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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