

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44508 of 2025

Arising Out of PS. Case No.-98 Year-2025 Thana- BHAGWANPUR District- Vaishali

Karan Kumar S/o Arbind Patel Resident of Village- Saidpur Bijali, P.S.-
Bhagwanpur, District- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sunil Das S/o Late Hriday Das R/o vill - Saidpur Bijali, P.S.- Bhagwanpur,
Distt.- Vaishali

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajeev Ranjan No. II, Adv. Mr. Pranav Kumar, Adv. Smt. Priyanka Kumari, Adv.
For the Opposite Party/s	:	Mr. Nitya Nand Tiwary
For the informant	:	Mr. Satish Narain Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

3 16-10-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner apprehends his arrest in connection with Bhagwanpur P.S. Case No. 98 of 2025 for the offence registered under sections 126(2), 115, 74, 118(1), 352, 3(5) of BNS and later on added Section 8, 12 of POCSO Act lodged on 13.04.2025 by the informant, Sunil Das.

3. As per the prosecution story, the allegation is that when the minor daughters of the informant were returning home after tuition, this petitioner harassed them and further allegation is of assaulting with sickle on the head causing injury. They came, narrated the ordeal which followed the FIR.



4. Learned Counsel for the petitioner submits that a minor altercation between the parties led to the exaggeration of FIR and now he stands implicated in the present case in which POCSO Act has also been incorporated and both the girls were minor, he himself is twenty years old and has no criminal antecedent. The two-fold submissions is/are that:

(i) the petitioner shall be paying Rs. 5,000/- each to the two minor daughters through the informant by way of Demand Draft;

(ii) secondly, if granted relief, he shall be visiting the S.P. office, Vaishali at Hajipur between 11 AM to 01 PM on every Saturdays/Sundays for one month to resurrect the library/any other direction given by the S.P. Office;

(iii) shall be planting a sapling in the S.P. Office with permission;

(iv) the certificate to this effect issued by the S.P. Office shall be presented before this Court by way of supplementary affidavit.

5. Learned APP for the State as also learned counsel for the informant opposes the prayer for anticipatory bail submitting that a perusal of the petition would show that he is not a student and the only work is to harass the minor girls.

6. Though allegation is there, it is unfortunate that despite being twenty years of age, there is nothing on record to show that he is pursuing studies before any institution. However, taking into account that he is young and sending him to jail may



not allow him to transform himself and come back in the society, in that background, this Court is inclined to grant him the anticipatory bail with the following conditions:

(i) the petitioner shall be paying Rs. 5,000/- each to the two girls as undertaken through the learned counsel with demand draft in the name of the informant;

(ii) he shall be visiting the S.P. Office, Vaishali at Hajipur for one month on every Saturdays and Sundays for two hours as undertaken and/or as per the convenience of the said S.P. Office;

(iii) shall plant a sapling in the S.P. Office;

(iii) the certificate issued by the S.P. Office shall be submitted by way of supplementary affidavit when it shall be perused on the next appointed day.

7. Let the petitioner in the event of arrest or surrender within a period of four weeks from the date of receipt of the order, shall be released on anticipatory bail on furnishing bail of Rs. 10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Court, POCSO-cum-A.D.J.-VI, Vaishali at Hajipur in connection with Bhagwanpur P.S. Case No. 98 of 2025 subject to condition as laid down under Section 438(2) of the Cr.P.C.

(i) one of the bailor should be the family members/relatives of the petitioner, who shall provide official document to show his *bona fide*;



(ii) the petitioner shall appear on each and every date before the Trial court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial court itself;

(iii) the petitioner shall appear before the concerned police station every fortnight for next six months to mark attendance and at the end of the period, the certificate be submitted to the Court;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again failing which the State shall be at liberty to take steps for cancellation of the bail bonds.

8. Let the matter come up on 12.12.2025 under the heading 'To Be Mentioned' for the perusal of supplementary affidavit to be filed by the petitioner.

(Rajiv Roy, J)

Vijay Singh/-

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