

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43068 of 2025

Arising Out of PS. Case No.-969 Year-2024 Thana- JAHANABAD District- Jehanabad

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1. Saurav Kumar S/o Sanjay Prasad R/o vill - Bari Sangat, P.S. - Jehanabad, Distt.- Jehanabad
 2. Lal Babu @ Vikash Kumar S/o Rajvallv Yadav R/o vill - Bari Sangat, P.S. - Jehanabad, Distt.- Jehanabad
 3. Gaurav Kumar S/o Rajvallav Yadav R/o vill - Bari Sangat, P.S. - Jehanabad, Distt.- Jehanabad
 4. Ankit Kumar @ Aditya Kumar Diwakar S/o Anil Prasad R/o vill - Bari Sangat, P.S. - Jehanabad, Distt.- Jehanabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. X W/o X R/o Mohalla - Jehanabad, P.s. and Distt.- Jehanabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Uday Kumar, Advocate
For the Opposite Party/s	:	Mrs. Sharda Kumari, APP
For the Informant	:	Mr. Raj Narayan Mishra, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 10-07-2025 Heard Mr. Uday Kumar, learned counsel for the petitioners, Mr. Raj Narayan Mishra, learned counsel for the Informant and Mrs. Sharda Kumari, learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Jehanabad P.S. Case No. 969 of 2024, F.I.R. dated 06.12.2024 for the offences punishable under Sections 126(2), 75, 78, 352, 351(2) and 3(5) of the B.N.S. 2023 and Section 8 of the POCSO Act.



3. According to prosecution case, the petitioners used to molest the daughter of the informant when she was returning from the coaching.

4. Learned counsel for the petitioners submits that the petitioners are innocent and they have falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioners have not committed any offences as alleged in the F.I.R. He further submits that although the petitioners are named in the F.I.R. but from a bare perusal of the F.I.R it appears that there is no specific allegation of any assault or overt act attributed against these petitioners rather there is general and omnibus allegation against all the accused persons including these petitioners.

5. The learned Additional Public Prosecutor as well as learned counsel for the informant have vehemently opposed the prayer for bail of the petitioners and submits that the petitioners are named in the F.I.R and there is specific allegation against them in the F.I.R. and apart from that petitioner nos. 1 and 4 have clean antecedent, petitioner no. 2 carries one more other than the present one and petitioner no. 3 carries four more cases other than the present one but fairly submits on the basis of



paragraph-3 of the bail application that petitioner no. 2 and 3 are on bail in the pending matters.

6. Considering the aforesaid facts and circumstances, let the petitioners, above named, in the event of their arrest or surrender before the court below within a period of thirty days from the date of receipt of the order, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VI-cum-Special Judge (POCSO) Jehanabad in connection with Jehanabad P.S. Case No. 969 of 2024, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure/482(2) of the B.N.S.S., 2023 and with other following conditions:-

i. Petitioners shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on their absence on two consecutive dates without sufficient reason, their bail bond shall be cancelled by the Court below.

ii. If the petitioners tamper with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.



iii. And further condition that the court below shall verify the criminal antecedent of the petitioners and in case at any stage it is found that the petitioners have concealed their criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioners. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

Jyoti Kumari/-

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