

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44794 of 2025

Arising Out of PS. Case No.-4 Year-2025 Thana- KASIMBAZAR District- Munger

Md. Taufique S/o Md. Faqrudin @ Md. Faqre Alam R/o - Muhalla Gali
No.0, Maksaspur Hazrat Ganj Bara Khanka, P.S - Kasimbazar, District -
Munger

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sanoar Alam D/o Late Nizamuddin R/o Vill- Pakki Gali Between Bazar,
P.S.- Kasimbazar, Distt- Munger

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjiv Kumar Singh, Advocate
For the Opposite Party/s : Mr. Amitesh Kumar, APP

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

ORAL ORDER

4 18-09-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Kasimbazar P.S. Case No. 04 of 2025 (POCSO Case No. 25 of
2025) instituted for the offence under Sections 96, 137(2) &
3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 8 & 12
of the POCSO Act.

3. As per prosecution case, petitioner along with other
co-accused kidnapped the minor daughter of the informant by
dragging her forcibly into tempo.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 07-01-2025. Petitioner



bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Referring to statement of the victim recorded under Section 183 of the BNSS, 2023, it is submitted that there is no whisper of sexual assault against the petitioner and she has stated that petitioner is her friend. There is no ingredient of Section 96 of the BNS against the petitioner. Charge sheet is submitted in this case, thereafter, court below has taken cognizance in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner, there is no allegation against the petitioner in the statement of the victim recorded under Section 183 of the BNSS, 2023 and cognizance being taken, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on furnishing bail bonds of Rs. 15,000/- (Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Kasimbazar P.S.



Case No. 04 of 2025 (POCSO Case No. 25 of 2025), 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.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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