

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.44329 of 2025

Arising Out of PS. Case No.-130 Year-2025 Thana- Kalibagh District- West Champaran

Vishal kumar S/o Late Suresh Bhagat R/o vill- Sudama Nagar, P.s- Bairiya,
District- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
 2. X W/o Shivrajpur R/o ward no. 13, P.S.- Kalibagh, Distt.- West Champaran
- Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Arun Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY

ORAL ORDER

5 15-11-2025 Heard Mr. Bimlesh Kumar Pandey, learned counsel
for the petitioner and the State.

2. The petitioner is in custody in connection with Kalibagh P.S. Case No. 130 of 2025 for the offence punishable under Sections 137(2) of the BNS and sections 8 and 12 of the POCSO Act lodged on 17.05.2025 by the informant, XXXX.

3. As per the prosecution story, the informant alleged that the minor daughter went to school but thereafter was found missing. This led to the FIR.

4. Learned counsel for the petitioner submits that he has no role to play in the matter and only on suspicion, he was picked up and is in custody since 20.05.2025, he is a student and the girl has not alleged anything against him.

5. Learned APP opposes the prayer for bail submitting that the learned Sessions Judge order would show that the girl



was present with the petitioner.

6. In this case, the Coordinate Bench had called for the case diary and the statement of the victim girl which is available. She had made her statement under section 183 of the BNSs on 20th of May, 2025, according to which, the victim girl after the school hours came to an end, went to her friend's home and stayed there for two days and the reason has been presented that her mother scolded her in the morning for studying and as such, she went to the place. She has further narrated that no one took her to that place.

7. Taking into account the submission of the parties as also the statement of the victim girl and the girl chose not to go through medical examination, the petitioner is in custody since 20.05.2025, in that background, this Court is inclined to extend him the privilege of bail with conditions.

8. Let the petitioner be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of like amount each to the satisfaction of learned District and Additional Sessions Judge 6th cum Special Judge POCSO, Bettiah, West Champaran in connection with Kalibagh P.S. Case No. 130 of 2025 subject to the following conditions:

(i) one of the bailor should be the family



member/relative of the petitioner who shall provide official document to show his/her 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 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;

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

(Rajiv Roy, J)

Adnan/-

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