

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48591 of 2025

Arising Out of PS. Case No.-188 Year-2024 Thana- KHIJARSARAI District- Gaya

Banti Kumar, S/o- Satyendra Yadav, Village- Horma Tola Pathak Bigha, Ps-
Khizersarai, Dist- Gaya

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Aryan Singh, Adv.

For the Opposite Party/s : Ms. Suman Kumari Singh, Adv.

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 04-11-2025 Heard learned Advocate appearing on behalf of the

petitioner and learned Additional Public Prosecutor for the State

as well as the learned Advocate for the informant.

2. The petitioner apprehends his arrest in connection
with Khizersarai P.S. Case No. 188 of 2024, registered for the
offences punishable under Sections 341, 323, 504, 307, 506,
354, 379, 354(B), 352 and 34 of the Indian Penal Code.

3. The allegation against the petitioner is of catching
hold the hand of the informant's daughter and harassing her. On
protest being made, the petitioner threatened the informant with
dire consequences. There is further allegation that co-accused
Satyendra Yadav, who is said to be father of the petitioner came
there and brutally assaulted the informant by means of iron rod.
It is also alleged that the petitioner snatched the valuables on the



point of pistol.

4. Learned Advocate appearing on behalf of the petitioner referring to the FIR contended that surprisingly the occurrence took place in the evening of 10.06.2024, but the present FIR came to be instituted on 13.06.2024, after a delay of three days, that too when the prosecution case itself suggest that on the alleged date of occurrence, the police came to the place of occurrence. He further submits that in fact the petitioner and the daughter of the informant were in good relationship, but only in order to get rid of from such relationship, the present FIR has been instituted. The allegation of pointing pistol and snatching valuables are concocted and, as such, denied by the petitioner. So far the injury sustained to the informant is concerned, the same has been found to be simple in nature and moreover, it is attributed against co-accused Satyendra Yadav. The petitioner is a boy of tender age, having fair antecedent.

5. On the other hand, learned Advocate for the State and the informant vehemently opposed the pre-arrest bail application and submits that besides the allegation of harassing, the petitioner is also indulged in making the obscene video of the victim girl and made it viral.

6. Having considered the submissions advanced by



learned Advocate for the respective parties and taking note of the delay in lodging of the FIR, coupled with the fact that the FIR has not been instituted under any of the provisions of the Information and Technology Act nor the materials have collected during the course of investigation, suggesting that any obscene video has been made viral, coupled with the tender age of the petitioner and his fair antecedent, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned Chief Judicial Magistrate, Gaya in connection with Khizersarai P.S. Case No. 188 of 2024, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 with the further condition that one of the bailors shall be the own/close family members of the petitioner.

(Harish Kumar, J)

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