

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52779 of 2025

Arising Out of PS. Case No.-21 Year-2025 Thana- NAKARDEI District- East Champaran

Sandesh Kumar, S/O Ramudesh Kushwaha, Ressident of Vill- Bhawanipur
Mauje, P.S- Nakkardei, Distt.-East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lalmunni Kumari, D/O Ajay Prasad Yadav, R/O Village- Bhawanipur
Mauje, P.S- Nakkardei, Distt.- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Prateek Tandon, Advocate
For the Opposite Party/s	:	Mr. Awadhesh Kumar Singh, APP
For the Informant	:	Mr. Ansul Singh, Sr. Advocate Ms. Sakshi Bhatnagar, Advocate

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

2 12-08-2025 Learned counsel for the petitioner, learned APP for the State and learned counsel for the Informant are present. Hence, there is no need to issue notice to O.P. No. 2/Informant, despite the case being registered under the POCSO Act.

2. The petitioner seeks bail in connection with Nakardei P.S. Case No.21 of 2025 dated 01.02.2025, registered for the offences punishable under Sections 126(2), 115(2), 76, 351(2), 352 and 3(5) of B.N.S., 2023 and Section 8 of the POCSO Act.

3. As per the FIR, lodged by a 15 year old girl, with false promise of marriage, the petitioner has love affairs with her and on 02.01.2025, he took her in his hold and tried to



establish physical relationship. However, when the co-villagers reached the place of occurrence, the petitioner fled away and the mobile was snatched and her cloths were torn off.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner admits that there is love affairs between them, however, he denied any physical relationship and any harassment. He further submits that as a matter of fact, this is a false case as a counter blast to FIR, lodged by the petitioner's side just few weeks prior to the present case and that criminal case bears Nakardei P.S. Case No. 18 of 2025 lodged against the father and uncle of the informant for abduction of the petitioner.

5. He further submits that the petitioner has been languishing in jail since 24.05.2025.

6. It has also been stated in paragraph no. 3 of the bail petition that the petitioner has no criminal antecedent.

7. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one.

8. However, learned APP for the State and learned counsel for the informant vehemently oppose the prayer of the



petitioner for bail submitting that the minor girl has been harassed by the petitioner and he does not deserve bail.

9. Considering the aforesaid facts and circumstances, **this application is allowed**, directing the petitioner, above-named, to be enlarged on bail on his furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned concerned Court below in connection with Nakardei P.S. Case No.21 of 2025 on the following conditions:

(i) The petitioner will make himself available for interrogation by a police officer/court as and when required.

(ii) The petitioner will undertake that investigation/trial will not get hampered on account of his absence or non-cooperation. He must be available to the police or the court whenever his presence is required.

(iii) The petitioner shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade him from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioner has any criminal antecedents, learned court below shall cancel the bail bonds of the petitioner after



hearing him and getting satisfied that the petitioner has concealed his criminal antecedents despite his knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioner.

(Jitendra Kumar, J)

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