

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57218 of 2025
In
CRIMINAL APPEAL (SJ) No.2478 of 2025

Arising Out of PS. Case No.-315 Year-2023 Thana- NAGAR District- Vaishali

Rohit Kumar S/o- Vijay Mahto Mohalla- Ramchura Mandir Ps- Hajipur
Town, Dist- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sunita Devi W/o- Kamal Kishor Paswan Mohalla- Ramchura Mandir Ps-
Hajipur Town Dist- Vaishali

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Syed Asgher Najmi Mr. Ashutosh Kumar Mishra Mr. Gaurav Prakash
For the State	:	Mr.Binay Krishna, Spl.APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 12-09-2025 Heard the learned counsel for the parties.

2. This is an application for regular bail on behalf of the petitioner for the offences alleged under Sections 377 of the Indian Penal Code, Section 3(2)(v) of the Scheduled Caste and Schedule Tribes (Prevention of Atrocities) Act, and Section 4 of the POCSO Act, registered in connection with Hajipur Town P.S.Case No. 315 of 2023/POCSO GR.- 64 of 2023.

3. Earlier the bail petition of the petitioner was rejected, vide order dated 01.07.2024 in Cr. Misc. No.21274 of



2024. According to the allegation, the petitioner committed unnatural sex with a minor boy.

4. The learned counsel for the petitioner has submitted the petitioner is renewing his prayer for bail on the ground that the doctor, who conducted medical examination of the victim was examined as P.W.3 and he deposed that he did not find any sign of sexual assault on the victim. The certified copy of the deposition of the doctor was produced before this Court by the learned counsel for the petitioner at the time of hearing of bail petition. The learned counsel has also submitted that the petitioner has remained in prison for more than two years.

5. Considering the above facts and circumstances of the case, let the petitioner, above-named, be released on bail on furnishing bail bond of Rs. 10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of learned District and Additional District Judge-VI-cum-Special Judge, POCSO, Hajipur, Vaishali in connection with Hajipur Town P.S.Case No. 315 of 2023/POCSO GR.- 64 of 2023, subject to the conditions that the petitioner shall cooperate in the disposal of trial **and make himself available on each and every date fixed at the trial, and if he fails to appear on two consecutive**



dates, unless he is prevented by extremely adverse circumstances, the court below shall be at liberty to cancel his bail bond.

(Nawneet Kumar Pandey, J)

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