

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60901 of 2025

Arising Out of PS. Case No.-141 Year-2025 Thana- LAHERIMUHALLA District- Nalanda

Jitendra Kumar @ Jitu, Male, aged about 35 years, S/o Mahendra Prasad @ Mahto, Resident of Village- Daniyanwan, PS- Daniyawan, District- Patna, at present Mohalla - Mogal Kuan, Etwari Bazar, PS.- Sohsarai, Distt.- Nalanda

... .. Petitioner

Versus

1. The State of Bihar
2. X D/o Y R/o vill - Z, SHO, Laheri, P.S.- Nalanda in connection with Laheri P.S. Case No. 141/2025

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Raj Kishor Prasad, Advocate
For the State	:	Mrs. Dr. Indivar Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 17-11-2025 Heard learned counsel for the petitioner and learned A.P.P. for the State.

2. The petitioner seeks bail in connection with Laheri P.S. Case No. 141 of 2025 dated 27.03.2025 registered for the offences punishable under Sections 82(2), 318(2), 127(2), 61 of B.N.S., 2023, Section ¾ of the D.P. Act, Section 8, 12 of the POCSO Act and Section 9/10 of the Child Marriage Act.

3. As per the prosecution case, the co-accused Basudeo Mahto and Rajnandan Prasad @ Pandit Jee are alleged to have cheated widow mother of the informant by concealing marital status of Jitendra Kumar (petitioner) who is son of the co-accused Mahendra Mahto and received Rs. 5,00,000/- as



dowry.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It is submitted that the alleged occurrence took place on 07.03.2025 and the F.I.R. has been lodged on 27.03.2025 and there is a delay of twenty days in lodging the F.I.R., and no explanation for such delay has been given by the prosecution. It is further submitted that the parents of the informant wanted to marry the petitioner but the parents of the petitioner candidly denied to solemnize the marriage for which at the behest of enemy of the petitioner, the present concocted story was planted and lodged the present false case against the petitioner and others. There is no eye witness to the alleged offence. It is further submitted that the petitioner was allegedly married the informant but the marriage itself is disputed and no valid proof of solemnization of marriage has been placed on the record. Moreover, the alleged concealment of prior marriage does not attract the rigorous of the POCSO Act unless accompanied by specific allegation of sexual exploitation which are absent. The petitioner has not demanded any dowry from the informant. There is no statutory compliance of Section 180 of the B.N.S.S., 2023. It is further submitted that the other co-accused person,



namely, Mahendra Mahto @ Mahendra Prasad who is the father of the petitioner has already been granted bail by a Bench of this Court in Cr. Misc. No. 39154 of 2025 vide order dated 07.07.2025, annexed as Annexure- P/2 to the present bail application. The petitioner has clean antecedent as stated in paragraph no. 3 of the bail petition. The petitioner is in custody in this case since 28.03.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner.

6. Considering the aforesaid facts and circumstances of the case as well as the period of custody, the petitioner, above named, is directed to be enlarged on bail on furnishing bail bond of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IV-cum-Special Judge (POCSO), Biharsharif, Nalanda in connection with Laheri P.S. Case No. 141 of 2025.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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