

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.59891 of 2025**

Arising Out of PS. Case No.-350 Year-2025 Thana- RAMKRISHNANAGAR District- Patna

Rohit Kumar @ Mangru, S/o Nageshwar Prasad, resident of Village-Narma  
Mohiddipur, P.S.- Fatuha Dist- Patna

... .. Petitioner

Versus

1. The State of Bihar
2. Sahil Raj, S/o Panna Lal Rajak, Resident of Village-East Ramkrishna Nagar,  
New Jaganpura, P.S.- Ramkrishna Nagar, Dist- Patna

... .. Opposite Parties

**Appearance :**

|                    |   |                                 |
|--------------------|---|---------------------------------|
| For the Petitioner | : | Mr. Chandra Mohan Jha, Advocate |
| For the State      | : | Mr. Syed Mojibur Rahman, APP    |
| For the Informant  | : | Mr. Amrendra Kumar, Advocate    |
|                    |   | Ms. Ranjana Singh, Advocate     |
|                    |   | Mr. Prakash Chandra, Advocate   |
|                    |   | Mr. Nitesh Kumar, Advocate      |

**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

4      03-12-2025                      Heard the parties.

2. The petitioner seeks bail in connection with  
  
Special POCSO Case No. 189 of 2025 arising out of  
  
Ramkrishna Nagar P.S. Case No. 350 of 2025 registered  
  
for the offence under Sections 96 of the Bhartiya Nyaya  
  
Sanhita, 2023 (in short 'BNS').

3. The petitioner is named in the F.I.R. and is in  
  
custody since 09.05.2025.

4. The allegation against the petitioner is to



kidnap the minor daughter of the informant aged about 13 years and thereafter, committing penetrative sexual assault/rape upon her.

5. Learned counsel appearing on behalf of the petitioner submitted that the thrust of allegation is available against co-accused Aman Kumar. It is pointed out that from the statement of victim as recorded under Section 183 of Bhartiya Nagrik Suraksha Sanhita, 2023 (in short 'BNSS'), the allegation of kidnapping and sexual assault cannot be gathered. It is further submitted that being a friend of main co-accused Aman Kumar, this petitioner was implicated with present case. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP duly assisted by learned counsel for the informant while opposing the prayer of bail



submitted that after returning from Patna, main co-accused Aman Kumar took shelter at the room of this petitioner with victim and therefore petitioner was aware about the occurrence and he failed to report it to the concerned authority in view of Section 21 of the Protection of Children from Sexual Offences Act (in short 'POCSO Act').

7. In view of aforesaid factual submissions and by taking note of fact as allegation of kidnapping and sexual assault *prima-facie* appears negated *qua* petitioner through statement of victim as recorded under Section 183 of BNSS, coupled with fact that investigation of this case has already completed, where petitioner remains in custody since 09.05.2025, accordingly, petitioner, above named, is directed to be released on bail in connection with Special POCSO Case No.189 of 2025 arising out of Ramkrishna Nagar P.S. Case No. 350 of 2025 on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to



the satisfaction of learned Exclusive Special Judge Rape  
and POCSO Act, Patna, subject to the conditions as  
mentioned under Section 480(3) of BNSS.

**(Chandra Shekhar Jha, J.)**

Sanjeet/-

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