

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60790 of 2025

Arising Out of PS. Case No.-264 Year-2025 Thana- RUNISAIDPUR District- Sitamarhi

Tufail Khan S/o Md. Mahtab Khan @ Mohammad Mahatab Khan Resident of
Village- Mananpur, P.S.- Runnisaidpur, Dist- Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. X D/o Md Izhar Khan R/o Vill- Mananpur, P.S.- Runnisaidpur, Distt- Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Ashok Kumar Jha, Adv
For the Opposite Party	:	Mr. Brajendra Nath Pandey, APP
For the Opposite No. 2	:	Mr. Dharamveer, Adv

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

2 16-09-2025 Heard learned counsel for the petitioner, learned A.P.P for the State and learned counsel for the informant has filed *Vakalatnama* in the course of the day which is kept on the record.

2. The petitioner has preferred this application for grant of regular bail in connection with Runnisaidpur P.S. Case No. 264/2025 dated 23.07.2025 registered for the offences punishable u/s 65(1) and 79 of the B.N.S. and Sections 4, 8 and 12 of the POCSO Act.

3. As per the prosecution case, on 21.07.2025, the petitioner entered the room of the informant and tried to commit physical relationship with her. On hearing the noise, the



informant's grandfather closed the door of her room from outside and other family members also woke up. The informant has further alleged that prior to this incident also the petitioner has established physical relationship with the informant 4-5 times by giving false promise of marriage.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Both the parties chose to have physical relationship. The informant is a major woman who knows the consequence of the act of the petitioner. There was love affair between the parties. As per Annexure-P/2, both the sides have entered into compromise for which a petition has been filed by the victim along with several affidavits. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 23.07.2025.

5. Learned A.P.P. for the State as well as the learned counsel for the informant have vehemently opposed the bail petition of the petitioner. Learned counsel for the informant has submitted that the victim is a major girl. The victim in her statement recorded u/s 183 of the B.N.S.S. has supported the prosecution story.

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 Court concerned, Sitamarhi in connection with Runnisaipur P.S. Case No. 264/2025 with the condition:-

(i). The petitioner is directed to remain physically present before the learned Court below on each and every date, failing which on two consecutive dates without reasonable cause, the bail bonds of the petitioner is liable to be cancelled.

7. The application stands allowed.

(Chandra Prakash Singh, J)

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