

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66329 of 2025

Arising Out of PS. Case No.-114 Year-2025 Thana- GOGRI District- Khagaria

Shailesh Kumar S/o Late Vijay Mandal Resident of Mohalla- Nawal Kishore
Tola, P.S.- Gogari, District- Khagaria

... .. Petitioner

Versus

1. The State of Bihar
2. Shambhu Kumar Keshari S/o Shankar Keshari R/o Mohalla- Nawal Kishore
Tola, P.S.- Gogari, District- Khagaria

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ashok Kumar Singh, Adv.

For the Opposite Party/s : Mr. Narsingh Tanti, APP.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH

ORAL ORDER

3 18-12-2025 Heard Mr. Ashok Kumar Singh, learned counsel for
the petitioner and Mr. Narsingh Tanti, learned APP for the State.

2. Petitioner seeks regular bail in connection with
Gogari P.S. Case No. 114 of 2025 dated 06.05.2025 registered for
the offences punishable under sections 126(2), 75, 78, 351(2) 352
and 79 of B.N.S. & Sections 7 & 8 of the POCSO Act.

3. The main submissions advanced by the petitioner's
counsel are that the petitioner's family and the victim's family
were on litigating terms at the time of the institution of the FIR in
the present matter, prior to the registration of the FIR the mother of
the petitioner had lodged Gogari P.S. Case No. 132 of 2024
against the family members of the so-called victim due to such
inimical relations and with malafide intention, a false statement
was fabricated by the informant, however, before the trial court,



the said victim's father did not support the prosecution case and turned hostile, in this regard, specific statement has been made in the paragraph no. 14 of the petition, further, there is serious contradiction with regard to the date of occurrence in between the victim's statement recorded before Judicial Magistrate and the contents of the FIR. It is lastly submitted that the petitioner bears no criminal antecedent, and has been languishing in jail since 07.05.2025.

4. Learned APP appearing for the State has opposed the bail prayer of the petitioner.

5. Considering the aforesaid submissions and mainly the fact that the informant has turned hostile before the trial court as stated by the petitioner's counsel and also coupled with the petitioner's fair and clean antecedent as well as his young age, this court is inclined to grant the relief of bail to the petitioner. Accordingly, let the petitioner named-above be released on bail on furnishing bail bond of Rs.20,000/-(Twenty Thousand) with two sureties of the like amount each to the satisfaction of the court concerned in connection with Gogari P.S. Case No. 114 of 2025.

(Shailendra Singh, J)

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