

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70394 of 2025

Arising Out of PS. Case No.-33 Year-2025 Thana- DULHIN BAZAR District- Patna

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Rajan Rajbhar S/o Naushan Rajbhar @ Naushan Bhar R/o Village- Ramdas
Bagahi, P.S.- Kateya, District- Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Khurshid Ansari Resident of village- Pirohi, P.S.- Dulhin Bazar, Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satyendra Rai, Advocate
For the Opposite Party/s : Mr. Rabindra Kumar, APP

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 17-11-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. Despite valid service of notice on opposite party
no.2, none appears on his behalf.

3. The petitioner seeks bail in a case registered for
the offence punishable under Sections 137(2) and 140(3) of the
B.N.S. and Sections 4/12 of POCSO Act.

4. Allegation in the first information report is that
the daughter of the informant did not return after her exams and
it was suspected that someone has allured her to elope.

5. Learned counsel for the petitioner submits that
the first information report has been lodged against unknown
and no suspicion, whatsoever, has been raised against the



petitioner. The name of the petitioner transpired during the course of investigation on the basis of suspicion and there was love affair between the petitioner and victim, which has been accepted by the victim herself in her statement recorded under Section 183 of the B.N.S. after her recovery. It has been pointed out that the age of the victim is only a little less than 18 years and hence, she had reached the age of majority and also the age of discretion. It has been submitted that the medical report of the victim girl also shows that there is no mark of violence or injury over her body or on her private part and spermatozoa was also not found to give a definite finding of any sexual assault. The petitioner is languishing in custody since 11.02.2025 and the case is running at the stage of evidence after framing of charge, however till date no witness has been examined on behalf of the prosecution and thus there is no likelihood of conclusion of trial in near future.

6. Learned APP for the State opposed the grant of bail on the ground of allegations made in the first information report.

7. Taking into account the facts and circumstances and also considering the fact that there was love affair between the petitioner and the victim girl and the victim girl had well



attained the age of discretion and had also accepted the love relationship with the petitioner coupled with the fact that the petitioner is in custody since 11.02.2025 and charges have already been framed, the above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor Court in connection with Special POCSO Case No.167 of 2025 arising out of Dulhin Bazar P.S. Case No.33 of 2025.

(Soni Shrivastava, J)

anand/-

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