

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74771 of 2025

Arising Out of PS. Case No.-482 Year-2025 Thana- ARA NAGAR District- Bhojpur

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Aman Kumar S/o- Ranjeet Sao @ Ranjit Sah @ Ranjeet Saw Resident of
Makhdumpur Dumra P.S- Ara Mufassil, Dist- Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Munna Kumar S/o- Mahesh Prasad R/v- Mirachak Ps- Ara Nagar Dist-
Bhojpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravindra Kumar, Advocate

For the Opposite Party/s : Mr.Bharat Bhushan, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 07-11-2025 Heard learned counsel appearing on behalf of the

petitioner and learned A.P.P. for the State.

2. The accused/petitioner seeks bail in connection with

Ara Town P.S. Case no. 482 of 2025 registered for the offences

under Sections 126(2), 64(1), 115(2), 351(2), 352 of the

Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.').

3. The accused/petitioner is named in the First

Information Report and is in custody since 24.07.2025.

4. As per FIR, petitioner after kidnapping the minor

daughter of the informant aged about 15 years committed

penetrative sexual assault/rape upon her.

5. It is submitted by learned counsel appearing on



behalf of the petitioner that this is a case of false implication and one of the best example out of which it can be gathered that how the POCSO Act is being misused. In support of his submission, learned counsel referred the statement of victim recorded under section 183 of the B.N.S.S. where she categorically stated that petitioner is her own cousin brother and as her father was in inimical terms with the mother of this petitioner, who is none but his own sister, the present false implication was raised. It is submitted that said fact also appears available in paragraph 49 of the case diary.

6. It is pointed out that the victim completely denied kidnapping and allegation of penetrative sexual assault against this petitioner.

7. While concluding argument, it is submitted that petitioner is a man of clean antecedent and, moreover, investigation of this case is already completed, for which charge-sheet has been submitted and as such, there is no chance of tampering with the evidence.

8. Learned A.P.P. for the State, while opposing the prayer for bail of the petitioner, could not disputed the submission as advanced aforesaid.



9. In view of aforesaid factual submission and by taking note of the fact as victim completely denied any occurrence as alleged through FIR, while recording her statement under section 183 of the B.N.S.S., coupled with the fact that petitioner remains in custody since 24.07.2025, where investigation of this case is already completed, accordingly, above-named petitioner is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand only) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Court of POCSO Act-cum-District and Additional Sessions Judge -VI, Bhojpur, Ara/concerned court, in connection with Ara Town P.S. Case no. 482 of 2025, subject to the condition as laid down under Section 437(3) Cr.P.C/Section 480(3) of the Bhartiya Nagarik Suraksha Sanhita (in short “B.N.S.S.”).

(Chandra Shekhar Jha, J)

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