

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.75197 of 2025

Arising Out of PS. Case No.-220 Year-2025 Thana- DHAMDAHA District- Purnia

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Lalan Kumar, S/o Vishundev Das, R/o Village-Bhotia, P.S.- Dhamdaha,
District- Purnea

... .. Petitioner

Versus

1. The State of Bihar
2. Fulo Devi, W/o Gulab Chandra Das, R/o Village-Bhotia, P.S.- Dhamdaha,
District- Purnea.

... .. Opposite Parties

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Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Umanath Mishra, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 10-11-2025 Heard learned counsel for the petitioner and learned

APP for the State.

2. The accused/petitioner seeks bail in connection

with Dhamdaha P.S. Case No.220 of 2025 registered for the

offences punishable under Sections 64, 351(2) and (3) of the

Bhartiya Nyaya Sanhita, 2023 (for short 'B.N.S.') and Section

4 of the Protection of Children from Sexual Offences Act.

2012 (in short 'POCSO Act').

3. The accused/petitioner is named in the FIR and

is in custody since 31.08.2025.

4. Allegation against the petitioner is to commit



penetrative sexual assault upon minor daughter of informant aged about 16 years.

5. It is submitted by learned counsel appearing for petitioner that petitioner was in love with daughter of informant and when for any of family reasons, the marriage could not solemnized, the present false implication was raised, which can be gathered safely from the face of FIR itself. It is submitted that nothing found incriminating upon medical examination of victim in support of the allegation. While concluding argument, it is submitted that the present FIR was lodged with delay of about two months as same was lodged on 01.08.2025 for the occurrence dated 11.06.2025, which also suggest *prima facie* false implication and moreover petitioner is a man of clean antecedent.

6. Learned APP opposed the prayer of bail.

7. In view of aforesaid factual submissions and by taking note of aforesaid unexplained long delay for lodging the present FIR, where the allegation *prima facie* raised due to non-solemnization of marriage of petitioner with victim daughter of informant, coupled with the fact that petitioner



being a man of clean antecedent remains in custody since 31.08.2025, accordingly, the petitioner, above-named, is directed to be released on bail furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional District and Sessions Judge-VII-cum-Special Judge (POCSO), Purnea in connection with Dhamdaha P.S. Case No.220 of 2025, subject to the conditions as laid down under Section 437(3) of the Code of Criminal Procedure (for short ‘CrPC’)/under Section 480(3) of the Bhartiya Nagrik Suraksha Sanhita (for short ‘BNSS’).

(Chandra Shekhar Jha, J.)

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