**IN THE HIGH COURT OF JUDICATURE AT PATNA**
**CRIMINAL MISCELLANEOUS No.84651 of 2025**

Arising Out of PS. Case No.-35 Year-2025 Thana- MAHILA PS District- Gaya

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Shubham Kumar S/o Bhuneshwar Paswan R/o Village - Katari Hill, P.S - Chandauti, District - Gaya

... ... Petitioner/s

Versus

1. The State of Bihar
2. [redacted] R/o Village - Gandhi Nagar, P.S - Chandauti, District - Gaya

... ... Opposite Party/s

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**Appearance :**
For the Petitioner : Mr. Aryan Singh, Advocate
For the Informant : Mr. Sanjay Kumar, Advocate
For the State : Mr. Anish Chandra, APP

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**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY**

ORAL ORDER

2 15-12-2025 Heard learned counsel for the petitioner, learned counsel for the Informant and learned APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Sections 70(1) & 62 of the BNS and under Sections 4 & 6 of the POCSO Act.

3. The case of the prosecution in short is that in the month of March, 2025 while the minor daughter of the informant was going to school by van. The petitioner who is a driver of van, took her to a secluded place and the petitioner with two of his friends teased her and attempted to commit *galat kaam*.

4. Learned counsel for the petitioner has submitted that from perusal of the FIR itself it is clear that the occurrence is of March, 2025; the FIR has been lodged on 08.07.2025. It means there is delay of four months. Learned counsel for the petitioner

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has further submitted that in the FIR it is stated that victim is aged about 14 years whereas from the perusal of the Annexure-P/3 which is medical examination report. The Doctor has opined that the victim is aged about 18-19 years and has also opined that there was no mark of violence over her body, hymen intact and the Doctor has also opined that there is no definite evidence of recent sexual intercourse.

5. Mr. Sanjay Kumar, learned counsel for the Informant is present and has submitted that the petitioner has traumatized the victim and she has to undergo clinical psychiatric treatment.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Gaya Mahila P.S. Case No. 35 of 2025 on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI, Gaya Ji.

**(Ashok Kumar Pandey, J)**

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