

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88046 of 2024

Arising Out of PS. Case No.-977 Year-2024 Thana- SAHARSA SADAR District- Saharsa

Ajit Kumar S/O Nageshwar Yadav Village- Refugee Colony Ward no. 6/41
P.S. and District- Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sahjadi Praveen D/O Nazeem Village- Kahra Kutti Ward no. 6/41 P.S. and District- Saharsa

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate
For the Opposite Party/s : Mr. Ram Bilash Roy Raman, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 22-03-2025 Heard Mr. Pramod Mishra, learned counsel for the

petitioner and Mr. Ram Bilash Roy Raman, learned APP for the

State.

2. The petitioner has prayed for regular bail in a case
registered for the offence punishable under Section 70(2) of the
BNS and Sections 04, 06 of the POCSO Act.

3. The case of the prosecution is that while the informant
was returning to her home after grazing her goats, two persons
namely, Bittu Kumar and Ankush Kumar forcefully boarded her
in a vehicle. It is further alleged that both of them established
forceful physical relation with her.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He has got no criminal antecedent. It is also submitted that the victim has also given her statement under Section 164 of the Cr.P.C., there also the victim has not named this petitioner. During course of investigation, this petitioner has given his confessional statement and he has stated that on the fateful day, he was driving the vehicle in which the offence was committed. It has also been submitted that the petitioner is only the driver of the said vehicle and he has not committed any offence with the victim of this case that is why victim has not named him in her Statement under Section 164 of the Cr.P.C. It is further submitted that the petitioner is languishing in judicial custody since 18.09.2024.

5. Learned APP appearing for the state has opposed the prayer of regular bail.

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 Saharsa P.S. Case No. 977 of 2024 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount



each to the satisfaction of learned Exclusive Special Court,
POCSO, Saharsa.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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