

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89010 of 2024

Arising Out of PS. Case No.-78 Year-2024 Thana- SHYAMPUR BHATHAN District-
Sheohar

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Ranjeet Kumar S/O Devi Dayal Sah Resident of village - Sahbazpur, P.S-
Shyampur Bhattha, District- Sheohar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Baby Kumari D/O Sakal Ram Resident of village - Sahbazpur, P.S-
Shyampur Bhattha, District- Sheohar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Abhay Shanker Singh, Advocate
For the Opposite Party/s	:	Ms. Usha Kumari 1, APP
For the Informant	:	Mr. Devendra Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 21-04-2025 Heard learned counsel for the petitioner and learned

counsel for the Informant as well as learned APP for the

State.

2. The petitioner seeks regular bail in connection with

POCSO Case No. 25 of 2024 arising out of Shyampur

Bhattha P.S. Case No. 78 of 2024 instituted for the offences

registered under Sections 126(2), 115(2), 64, 303(2), 76, 77,

329(4), 3(5) of Bhartiya Nyay Sanhita (BNS) and Sections

3(1) (w), 3(2) (va), 3(V), of SC/ST (POA) Act in which

charge-sheet was submitted under Sections 126(2), 115(2),

64, 303(2), 76, 77, 303(2), 76, 77, 329(4), 3(5) of Bhartiya

Nyay Sanhita and Section 4/6 of POCSO Act and Section



3(1)(r), (s), 3(w), (i), 3(2) (va) of SC/ST (POA) Act.

3. The prosecution is based on the typed application of one Baby Kumari wherein she has stated that her marriage was solemnized on 26.04.2024 with one Sonu Ram however, it has been alleged that Ranjeet Kumar (petitioner) being her co-villager had earlier taken some obscene photographs and was threatening to make them viral and in regard of such photographs he used to physically abuse her. It has also been stated that when her mother went to enquire about the threatening given by the petitioner around 13 named and 50 to 60 unknown persons came to her house dragged her out and assaulted using caste name.

4. The learned counsel for the petitioner submits that the present case is based on out and out false and concocted story and from mere perusal of the FIR, it is evident that there is no time and date or period stated in the FIR which would suggest that as to when such incident had occur with the informant. He has further stated that the petitioner has herself claimed to be of 19 years of age and hence the provision of the POCSO Act does not attract. He has further



submitted and drawn the attention of this Court to the medical report which has been brought on record by way of Annexure 2 wherein there is a report that no opinion could be given regarding the age of the informant and her recent sexual activity as the victim had strongly refused for any type of radiological examination, pathological examination and external or internal examination. Lastly, it has been submitted that the petitioner is in custody since 31.07.2024.

5. The learned counsel to the informant and the learned APP for the State has vehemently opposed the prayer for bail and has stated that there is specific allegation against the petitioner that he had some obscene videos of the informant and which has also been found to be true during investigation. They have also submitted that the petitioner has been threatening the informant even during his custody.

6. Having heard the learned counsel for the parties and taking into account the medical examination report as also the fact that the petitioner has not stated as to when she was being victimized by the petitioner as also the fact that petitioner is in custody since 31.07.2024, let the



petitioner 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 learned Exclusive Special Judge POCSO, Sheohar in connection with POCSO Case No. 25 of 2024 arising out of Shyampur Bhattha P.S. Case No. 78 of 2024.

(Sourendra Pandey, J)

Raj Ranjan/-

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