

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.2394 of 2026

Arising Out of PS. Case No.-32 Year-2020 Thana- BHOJPUR COMPLAINT CASE District-
Bhojpur

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1. Shekhar Paswan @ Shekhar Kumar S/o Arvind Paswan Resident of Village- Ichari, PS- Ayer District- Bhojpur At Ara
 2. Chandan Paswan S/o Arvind Paswan Resident of Village- Ichari, PS- Ayer District- Bhojpur At Ara

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXX

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arbind Kumar Singh, Advocate
For the State	:	Mr. Shantanu Kumar, APP
For O.P. No. 2	:	Mr. Pankaj Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA

ORAL ORDER

3 19-03-2026 Heard learned counsel for the petitioners, learned

A.P.P. for the State and learned counsel for the O.P. No. 2.

2. The petitioners apprehend their arrest in a case registered under Section 354 (A) of the Indian Penal Code and Section 8 of the POCSO Act.

3. It is alleged that the accused persons including the petitioners molested the complainant with bad intention.

4. Learned counsel for the petitioners submits that petitioners are innocent and have falsely been implicated in the present case due to land dispute and previous enmity. Further submission is that there is an inordinate delay of more than eight months in filing the complaint case, which creates serious doubt over the prosecution. Allegation against the petitioners is general and omnibus. He further submitted that the victim girl



was major at the time of occurrence, but her parents have tactfully concealed her actual age. Petitioners have no criminal antecedent. They undertake to cooperate in the trial.

5. Learned A.P.P. appearing on behalf of the State and learned counsel for the O.P. No. 2 have opposed the bail application.

6. Having considered the facts and circumstances of the case, submissions of learned counsel for the parties, nature of allegation against the petitioners, delay in filing the complaint case and clean antecedent of the petitioners, let the above named petitioners be released on bail, in the event of arrest or surrender before the learned court below within a period of six weeks from today, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned District and Additional Sessions Judge-VI-cum-Exclusive Special Court of POCSO Act, Bhojpur at Ara in connection with Complaint Case No. 32 (C) of 2020, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagarik Suraksha Sanhita.

(Sunil Dutta Mishra, J)

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