

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4412 of 2026

Arising Out of PS. Case No.-134 Year-2025 Thana- FESHAR District- Aurangabad

Purushottam Kumar S/O Rajesh Paswan @ Rajeshwar Paswan Resident of
Village- Khaira, P.S.- Fesar, District- Aurangabad.

... .. Petitioner/s

Versus

1. The State of Bihar
2. X S/O Late Jadunandan Ram R/O Village- Mahadipur, P.S- Fesar, Distt.-
Aurangabad.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bachan Jee Ojha, Advocate
For the Informant	:	Mrs. Leelawati Kumari, Advocate
For the State	:	Mr. Shailendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 09-04-2026 Heard Mr. Bachan Jee Ojha, learned counsel for the
petitioner, Mrs. Leelawati Kumari, learned counsel for the
Informant and Mr. Shailendra Kumar, learned APP for the State.

2. Petitioner seeks bail, who is in custody since
04.11.2025, in connection with Fesar P.S. Case No. 134 of 2025,
F.I.R. dated 03.11.2025 registered for the offences punishable
under Sections 96 of the B.N.S. and Section 8/12 of the POCSO
Act.

3. Allegation against the petitioner is that he along with
other co-accused persons have kidnapped the minor daughter of
the informant.

4. Learned counsel for the petitioner submits that the
petitioner has clean antecedent and he has been falsely implicated



in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. and the petitioner has been made accused merely on the ground that the petitioner is friend of co-accused Chintu Kumar and in fact the victim was in love with co-accused Chintu Kumar and the victim was recovered and her statement under Section 183 of the B.N.S.S. was recorded in which she has not stated anything about the sexual assault against the petitioner and at the instance of co-accused Chintu Kumar the petitioner has accompanied with the victim to proceed to Gujarat. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 04.11.2025.

5. Learned counsel for the Informant and learned Additional Public Prosecutor for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional District Sessions Judge-VI cum-Special Exclusive Judge (POCSO), Civil Court, Aurangabad in connection with Fesar P.S. Case No. 134 of 2025, subject to the following



conditions :-

(1) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedents, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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