

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.8728 of 2026

Arising Out of PS. Case No.-13 Year-2025 Thana- MAHILA P.S. District- Vaishali

Ayush Kumar Son of Narendra Singh R/o - Village - Narayanpur, PS. -Mahua,
Dist. - Vaishali, Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. XXX YYY R/o Gram Jafarpatti, P.S. - Rajapakar, Dist. - Vaishali (At present
R/o Naya Tola, Hajipur, P.S. - Hajipur Sadar, Dist. - Vaishali).

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajendra Narain, Sr. Advocate Mr. Harsh Kaushal, Advocate Ms. Anupurna Sinha, Advocate Mr. Amit Kumar, Advocate
For the Opposite Party/s	:	Mr. Zainul Abedin, APP
For the Informant	:	Mr. Anupam Prabhat Shrivastava, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 09-04-2026 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the informant.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 115(2), 126(2), 69, 79, 352, 351(2) of the BNS and Sections 66(c), 66(D), 66(E) and 67 of the I.T. Act and Sections 4 and 6 of the POCSO Act.

3. The case of the prosecution is that the minor daughter of the informant came in contact with the petitioner through facebook. At that time, she was aged about 12 years. It is further alleged that from 2021 till now, the petitioner has been



sexually exploiting the minor daughter of the informant and has also made the video of the act and has made the same viral.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that in this case, trial has begun and during trial, the victim has been examined as PW-1. In her examination-in-chief, she has stated that when she used to go to school, some boys used to tease her. Her mother has gone to P.S. for filing *sanha* and she has put her signature on the direction of the police personnel. She has categorically stated that she does not know the name of the boys who used to tease her. In next para, she has stated that she has given a pen drive to the I.O. which did not contain cruzer blade 32 gb. She has given in writing that she is not willing to continue with the medical examination and on that, her mother has also put her signature. She has further stated that before Magistrate, she has given statement as per the direction of the police personnel. Learned counsel has submitted that in para-15, she has stated that no such occurrence has taken place. He has further stated that even the mother of the victim who has been examined as PW-3 has not supported the case of the prosecution. In her cross-examination, she has stated that she is unaware of the



petitioner and she has not filed any case against him. She has further stated that the victim has not complained any kind of sexual exploitation. Learned counsel has submitted the victim and her mother have completely exonerated the petitioner. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 04.03.2025.

5. Learned counsel for the informant has conceded to the argument of learned counsel for the petitioner.

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 Mahila P.S. Case No. 13 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 cum Special Judge (POCSO), Hajipur, Vaishali.

(Ashok Kumar Pandey, J)

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