

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10732 of 2026

Arising Out of PS. Case No.-821 Year-2025 Thana- MAJHAULIA District- West Champaran

Sandip Kumar S/o Jitendra Sahni @ Jitendra Chaudhary R/o vill - Sonbarsa,
P.S.- Yogapatti, Distt.- West Chamapran

... .. Petitioner/s

Versus

1. The State of Bihar
2. [REDACTED] R/o Vill - Majhauilya Sekh, P.S.- Majhauilya, Distt.-
West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sarvesh Kashyap, Advocate
For the State	:	Mr. Rajendra Prasad Nat, APP
For the Informant	:	Mr. Shubham Shivansh, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 07-04-2026 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the Informant.

2. The petitioner has prayed for bail in connection with Majhauilya P.S. Case No.821 of 2025 registered for the offence punishable under Sections 126(2), 115(2), 87, 352 & 3(5) of the BNS and under Section 8 of the POCSO Act.

3. The case of the prosecution, in short, is that the informant was sleeping at his house. At about 01:00 A.M., the petitioner along with others entered in the house of the informant gagged the mouth of the informant's minor daughter and attempted to take her away. The daughter of the informant raised alarm and with the help of neighbourers the petitioner was apprehended and others vanished.



4. Learned counsel for the petitioner has submitted that during course of investigation victim has given her statement under Section 183 but she has developed the story and has even gone to the extent that the petitioner has committed rape with her. It has further been submitted that from perusal of paragraph '96' of the case diary it will transpire that the petitioner and the victim of this case were on talking terms on social media and they have chat even on the date of occurrence. It is not the case where the petitioner has entered in the house of the informant. It has further been submitted that in statement of the victim under Section 180 of the BNSS she has stated that the petitioner has used force against her and attempted to rape whereas in her Section under Section 183 she has stated that the petitioner has committed rape. Learned counsel for the petitioner has submitted that prosecution has developed the story step by step which is contradictory.

5. Countering this, learned counsel for the Informant has submitted that the victim is minor and the petitioner has induced her and on his call the victim has gone out from her house.

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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the court of learned District and Additional Sessions Judge 6th cum Special Judge, POSCO, Bettiah, West Champaran in connection with Majhauriya P.S. Case No.821 of 2025.

(Ashok Kumar Pandey, J)

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