

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13752 of 2026**

Arising Out of PS. Case No.-78 Year-2025 Thana- MAHILA P.S. District- Siwan

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Suman Kumar S/o Parshuram Sah R/o Vill- Luhsi Kala, P.S.- Muffasil  
Dhanauti, Dist- Siwan, Bihar, Pin Code-841226

... .. Petitioner/s

Versus

1. The State of Bihar
2. Smita Kumari, SHO Mahila Thana, Siwan Bihar, Pin- 841226

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rajni Kant, Advocate  
For the Opposite Party/s : Mr. Mohammad Sufyan, APP

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**CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR**  
**ORAL ORDER**

3      31-03-2026                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

2. The petitioner seeks bail in connection with Mahila  
P.S. Case No.78 of 2025 dated 21.11.2025 instituted for the  
offence punishable under Sections 127(2), 318(4), 143, 338,  
336(3), 61(2), 3(5) of the Bhartiya Nyaya Sanhita, 2023 and  
Section 14(1) of the Child Labour (Prevention and Regulation)  
Act, 1986 and Section 79 of the Juvenile Justice Act, 2015.

3. The prosecution case, in short, is that on the alleged  
date of occurrence, the informant along with other police  
personnel conducted a raid at Sitara Orchestra, Madarpur and  
recovered two minor girls, who disclosed that the accused  
persons used to compel and torture them to dance on indecent



songs.

4. Learned counsel for the petitioner submits that the petitioner is innocent and he has been implicated in this case only on the basis of suspicion without any direct evidence. He further submits that the petitioner is in custody since 21.11.2025 without any fault and similarly situated co-accused Abhishek Singh @ Abhishek Kumar Singh has been granted bail by this Court vide order dated 25.03.2026 passed in Criminal Miscellaneous No. 5755 of 2026.

5. Learned APP for the State has vehemently opposed the prayer of the petitioner for grant of bail.

6. Considering the period of custody of the petitioner and also the fact that similarly situated co-accused has been granted bail by this Court, this bail application is allowed.

7. Let the petitioner, above named, be released on bail upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Judge (POCSO), Siwan / concerned Court below, in connection with Mahila P.S. Case No.78 of 2025, subject to the following conditions:-

*i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by*



*the Court below.*

*ii. Both the bailors will be the close relatives of the petitioner.*

*iii. The petitioner within two weeks after his release from custody shall mark his attendance at Baikunthpur Police Station, Gopalganj on first Sunday of every month. Any default in appearance at the police station will result in cancellation of bail bonds of the petitioner.*

**(Sandeep Kumar, J)**

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