

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15668 of 2026

Arising Out of PS. Case No.-148 Year-2025 Thana- KISHANPUR District- Supaul

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Dilkhush Kumar @ Bhola Kumar @ Dilkush Kumar @ Dilkhush Kumar
@Bhola S/o Ashok Mandal Resident of village - Chauhatta, Police Station -
Kishanpur, District - Supaul

... .. Petitioner/s

Versus

1. The State of Bihar
2. xxxx yyyy R/o vill and Post - Chauhatta, ward no. 9, P.S.- Kishanpur, Distt.-
Supaul

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Arun .
For the Opposite Party/s : Mr. Nawal Kishore Prasad

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 12-05-2026 Heard the learned counsel for the petitioner and

learned APP for the State.

2. The petitioner seeks regular bail in connection with

POCSO Case No. 153 of 2025 arising out of Kishanpur P.S.

Case No. 148 of 2025 registered for the offence under Sections

126(2), 115(2), 64, 352, 351(2) and 3(5) of the Bharatiya Nyaya

Sanhita, 2023.

3. On 28.04.2026, the following order was passed in

this case:-

Heard learned counsel for the parties.

*2. On 16.03.2026, this Court had passed
the following order:-*

*Heard learned counsel for the petitioner
and learned Additional Public Prosecutor for*



the State.

2. The petitioner seeks bail in connection with POCSO Case No. 153/2025 arising out of Kishanpur P.S. Case No. 148/2025 registered for the offences punishable under Sections 126(2), 115(2), 64, 352, 351(2), 3(5) of B.N.S. and Sections 4/6 of POCSO Act.

3. As per the prosecution case, informant America Devi (victim's mother) reported that on 15.07.2025, her 18-year-old daughter was found 6 months pregnant. The daughter alleged the petitioner established physical relations 2 years ago using photos/videos as blackmail. The petitioner's family attempted abortion and threatened the informant.

4. Learned counsel for the petitioner submits that petitioner is innocent and has falsely been implicated in the present case. Learned counsel further submits that petitioner is ready to marry the victim with whom he had established relationship. Petitioner has clean antecedent and he is in custody since 25.09.2025. The petitioner undertakes to co-operate in the case/ trial.

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

6. Considering the facts and circumstances of the case, let the petitioner, above named, be released on provisional bail for a period of six weeks from today on furnishing bail bonds of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Addl. Sessions Judge-cum-Special Judge, POCSO Act, Supaul /concerned Court below in connection with POCSO Case No. 153 of 2025 (arising out of Kishanpur P.S. Case No. 148/2025). On the next date of hearing, the petitioner will file an affidavit regarding whether he has married the victim or not.

7. List this case after six weeks."



3. *Today, learned counsel for the petitioner has submitted that he has no instructions from the petitioner in the matter.*

4. *It seems that the petitioner after obtaining provisional bail from this Court, he has lost interest in the matter and is avoiding the Court.*

5. *In these circumstances, the provisional bail granted to the petitioner vide order dated 16.03.2026 is hereby cancelled. He is directed to surrender in the Court below within one week from today, failing which, the Superintendent of Police, Supaul will take all steps for arresting the petitioner.*

6. *Let a copy of this order be communicated to the Superintendent of Police, Supaul, forthwith through FAX or e-mail for its compliance.*

7. *List this case after two weeks.*

4 The learned counsel for the petitioner submits that the victim is not ready to marry the petitioner.

5. In the circumstances, this application is dismissed, with liberty to the petitioner to approach the court below and seek regular bail. If any such application is filed, the court below shall hear the informant/victim and pass an appropriate order in accordance with law.

6. It is made clear that any observation made herein is *prima facie* in nature and limited solely for the purpose of adjudication of the present bail application. Such observations



shall not be construed as an expression on the merits of the case
and shall not influence the trial or any other proceedings in any
manner.

(Sandeep Kumar, J)

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