

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16503 of 2026

Arising Out of PS. Case No.-287 Year-2025 Thana- VIJAYEPUR District- Gopalganj

Baban Gond @ Babban Gond, S/o- Jaynarayan Gond; R/o-Pipra; P.S-
Vijaypur; District-Gopalganj

... .. Petitioner/s

Versus

The State of Bihar & Anr.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Deepankar Raj, Advocate Mr. Vijay Kumar Sah, Advocate
For the Opposite Party/s	:	Mr. Yogendra Kumar, APP
For the Informant/s	:	Mr. Nityanand Mishra, Advocate Ms. Diksha Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 08-07-2026

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Vijayepur P.S.Case no. 287 of 2025 registered under sections 140(1), 103(1), 352, 351(2), 3(5) of the Bhartiya Nyay Sanhita, 2023 and sections 4, 6 of POCSO Act, 2012.

3. As per the prosecution case, the informant states that his six year old nephew who had gone out did not return. At about 10 pm he saw the four named accused persons including the petitioner herein leaving him at the door of the house and thereafter they ran away. The child was bleeding profusely on the backside. It is stated that the accused persons had committed



unnatural offence. In course of treatment, the child died on 3.9.2025. The informant further states that the accused threatened of dire consequences if a case was filed.

4. Learned counsel appearing for the petitioner submits that the petitioner has been falsely implicated in the case only for the reason that he happens to be the father of the coaccused Ankit Gond against whom the main allegations has been levelled. No material has transpired against the petitioner to connect him with the alleged crime. In fact, material has transpired which would show that the petitioner was with the family of the informant at the time of occurrence. The petitioner is in custody since 4.9.2025 and has no criminal antecedent.

5. The application for bail is opposed by learned APP for the State and learned counsel for the informant. Learned counsel for the informant submits that there is direct allegation against the petitioner who was seen along with other co-accused persons leaving the six year old child/victim at the door of the informant and running away. It is further submitted that it is a brutal case of unnatural offence committed with the minor child which has been supported from the contents of the postmortem report wherein a bloodstained bamboo stick was recovered from the abdomen of the victim.



6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the FIR, the material that has transpired in course of investigation and especially the contents of the postmortem report, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

Bibhash/Amit

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