

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16392 of 2026

Arising Out of PS. Case No.-349 Year-2025 Thana- PARBATTa District- Khagaria

Badal Kumar @ Badal Yadav Son of Daro Yadav @ Darum Yadav Resident
of Village - Chhoti Lagar, P.S. - Parbatta, District - Khagaria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Munchun Devi Wife of Bablu Chaudhary R/o Village - Chakprayag, Ward
no. - 041, P.S. - Parbatta, Dist. - Khagaria.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sarvottam Kumar

For the Opposite Party/s : Mr.Md. Mushtaque Alam

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 04-05-2026 Heard learned counsel for the parties.

2 The petitioner seeks regular bail in a case registered
for the offence punishable under Section 70 (2) of the BNS and
Sections 4, 6 of the POCSO Act.

3 The prosecution case, in short, is that the minor
daughter of the informant was taken away by one Sachin Kumar
near Bandh and there she was forcefully administered intoxicant
and, thereafter, intercourse was committed on her.

4 Learned counsel for the petitioner submits that
during the course of investigation, the victim has given her
statements under Sections 180 and 183 of the BNSS and in both
the statements, she has stated that after intoxication, when she



gained consciousness, she found that one Badal, son of Bulbul Yadav was committing rape on her. Learned counsel for the petitioner has further submitted that the parentage of this petitioner is different from the Badal which was identified by the victim. The father of this petitioner is one Daro Yadav whereas the person who is alleged to have committed rape with the victim is Badal, son of Bulbul Yadav.

5 In this case, notices were issued to Opposite Party No 2 and a vakalatnama has also been filed on her behalf but on repeated calls, no body has appeared. However, learned APP appearing for the State is present.

6 From perusal of the medical examination report, it is clear that no mark of violence on any part of the body of the victim was found. Moreover, main thrust of allegation is against Badal, son of Bulbul Yadav. Petitioner is in custody since 14.11.2025.

7 Considering the aforesaid 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 on his furnishing bonds of Rs 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Special Judge, POCSO Act, Khagaria in



Parbatta PS Case No 349 of 2025.

(Ashok Kumar Pandey, J)

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