

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21464 of 2026

Arising Out of PS. Case No.-3 Year-2026 Thana- MALSALAMI District- Patna

Vivek Kumar S/o Ashok Ram Resident of Mohalla- East Nandgola, PS-
Malsalami, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar.
2. XXX D/o YYY R/o Vill - Purbi Nandgola, Arti Path, Bari Sangat, P.S-
Malsalami, Distt.- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shashi Kant, Advocate.
For the State	:	Mr. Humayou Ahmad Khan, A.P.P.
For the O.P. No.2	:	Mr. Amit Kumar, Advocate.

CORAM: HONOURABLE MR. JUSTICE SUNIL DUTTA MISHRA
ORAL ORDER

3 04-05-2026 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the opposite party no.2.

2. The petitioner apprehends his arrest in connection
with Malsalami P.S. Case No.03 of 2026 for the offences
registered under Sections 126(2), 115(2), 74, 75, 79 of the B.N.S.,
2023 and Section 8/12 of POCSO Act.

3. As per the prosecution case, the informant has
alleged that the petitioner had outraged her modesty in public.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this case.
He further submits that there is inordinate delay in lodging the
F.I.R. without any plausible explanation causing the prosecution



case doubtful. Learned counsel petitioner submits that the informant is major and due to some misunderstanding, she lodged the case against the petitioner, however, on realizing the same she filed compromise petition before the Court concerned wherein she had denied the allegation made in the F.I.R. He further submits that the informant has not received any injury and she was not medically examined. Learned counsel submits that petitioner is working as a labour, who has no criminal antecedent and he undertakes to cooperate in the investigation and trial of the case.

5. Learned A.P.P. for the State and learned counsel for the opposite party no.2 conceded the fact that the opposite party no.2 is major and she has filed the compromise petition before the Court concerned and they have no objection in granting the anticipatory bail to the petitioner.

6. Considering the facts and circumstances of the case, submissions of learned counsel for the parties and the nature of allegation leveled against the petitioner as well as his clean antecedent, in the event of arrest or surrender before the Court below within six weeks from today, the petitioner be released on bail upon furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount to each to the satisfaction of the learned Special Judge, POCSO, Patna in connection with Malsalami P.S. Case No.03 of 2026,



subject to the conditions laid down in Section 482(2) of the
Bharatiya Nagarik Suraksha Sanhita, 2023.

(Sunil Dutta Mishra, J)

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