

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19667 of 2026

Arising Out of PS. Case No.-140 Year-2025 Thana- ROH District- Nawada

Rohit Kumar S/o- Late Chandra Mistri R/v- Godiyari Ps- Roh Dist- Nawada

... .. Petitioner/s

Versus

1. The State of Bihar

2. [REDACTED] R/v- Godihar Ps- Roh Dist- Nawada

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Allama Abdul Quadir Jamal Faridi, Adv

For the Opposite Party/s : Mr. Sadanand Paswan, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 24-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The instant application for anticipatory bail has been filed by the petitioner apprehending his arrest in connection with Roh P.S. Case No. 140 of 2025 registered for the offence punishable under Sections 126(2), 115(2), 74, 76, 352, 351(2) and 3(5) of B.N.S. read with Sections 8 and 12 of POCSO Act, Section 3(i)(r)(s) of SC/ST Act and Section 67 of I.T. Act.

3. The case of the prosecution, in short, is that the petitioner along with others caught the minor daughter of the informant while she had gone to ease herself in evening at 07.00P.M. and took her to a dark place. When the victim attempted to rescue herself, she was being knocked down by the accused persons. She was being teased. It is further alleged that



this petitioner and one co-accused Chandan Kumar caught her when she tried to flee away from the place of occurrence and torn her *nighty*. It is further alleged that Vikrant Yadav started clicking video and all the three accused persons have uploaded the video on Facebook and Instagram on a fake I.D. in the name of Ahiran Sarkar.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. It has further been submitted that during course of investigation, the supervising authority has directed the I.O. to seize the mobile and also to obtain a certificate under Section 65 of the Indian Evidence Act but the same has not been done by the I.O. and from perusal of the entire case diary, it is clear that it has not been verified by the I.O. as to whether actually the video was made viral on the social media or not. During course of investigation, the victim has given her statement under Sections 180 and 183 of the B.N.S.S. In her statement under Section 180 of the B.N.S.S., she has stated that co-accused Chandan Kumar has uploaded her video whereas in her statement under Section 183 of the B.N.S.S., she has stated that all the accused persons have uploaded her video. Petitioner is having no criminal antecedent. Learned counsel has further submitted that other co-accused, namely, Chandan Kumar has



already been granted bail by this court vide Cr. Misc. No. 59471 of 2025.

5. Be it as may be, during course of entire investigation the I.O. has not ascertained whether actually video has been uploaded or not.

6. Learned APP appearing for the State has vehemently opposed the application for bail.

7. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is inclined to enlarge the petitioner on bail. The petitioner is directed to surrender in the Court below within a period of four weeks from today and in the event of his arrest or surrender in connection with Roh P.S. Case No. 140 of 2025, he will be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional District and Sessions Judge-VI-cum-Special Judge (POCSO Act), Nawada subject to the conditions as laid down under section 482(2) of B.N.S.S.

(Ashok Kumar Pandey, J)

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