

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22996 of 2026

Arising Out of PS. Case No.-411 Year-2025 Thana- PIRPAINTI District- Bhagalpur

Jalandhar Kumar son of Dharmdev Mandal Resident of Village- Olni Tola,
ps- Pirpanti, Dist- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. ABC Wife of XYZ Resident of Village- Olni Tola, ps- Pirpanti, Dist- Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Diwakar Upadhyaya
For the Opposite Party/s : Mr.Pawan Kumar Chaurasia

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

4 15-07-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. In the present case, the petitioner seeks bail in connection with POCSO Case No. 251 if 2025 arising out of Pirpanti P.S. Case No. 411 of 2025, registered for the offences under Sections 137(2), 140(1), 3(5) of the BNS and police submitted charge sheet for the offences under Sections 137(2), 140(1), 127(2), 64 of the BNS and Section 04 of the POCSO Act.

3. As per the prosecution case, the 16 year old daughter of the informant went out of the house to attend the call of nature but did not return. The informant named two



persons for being involved in the kidnapping of her daughter. The name of the petitioner transpired in the investigation for being involved in the present case.

4. Learned counsel appearing on behalf of the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner and the victim were in love and this fact was admitted by the victim when her statement was recorded under Section 180 of the BNSS. Even in the statement recorded under Section 183 of the BNSS she stated that she herself went out of her house and went to the house of this petitioner which was a newly constructed house and stayed there for fifteen days. However, differing from her statement recorded under Section 180 of the BNSS, she made an allegation that the petitioner committed rape with her while she was in his house but the same is not believable considering the conduct of the victim girl. The victim girl returned to her house on her own and in her medical examination no sign of any injury was found and her age was assessed to be more than 18 years. Even no recent evidence of sexual intercourse was found. It shows the petitioner never established any sexual relationship with the victim girl. Therefore, the prosecution case is highly doubtful. The petitioner is having clean antecedent and he is in



custody since 30.09.2025. Charge sheet has been submitted.

5. Learned APP appearing for the State opposes the submission made on behalf of the petitioner.

6. Having regard to the fact and circumstances and submission made on behalf of the parties and considering the doubtful nature of allegation and further considering the period of custody and submission of charge sheet, the petitioner is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) each with two sureties of the like amount each to the satisfaction of learned District & Additional Sessions Judge-VII-cum-Exclusive Special Judge, POCSO, Bhagalpur/concerned court, in connection with POCSO Case No. 251 of 2025 arising out of Pirpanti P.S. Case No. 411 of 2025, subject to the condition laid down under Section 480(3) of the BNSS and other following conditions:

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial court.

(iii) In case of absence on three



consecutive dates or in violation of the
terms of the bail, the bail bond of the
petitioner will be liable to be cancelled
by the court concerned.

(Arun Kumar Jha, J)

Anuradha/-

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