

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.24899 of 2026

Arising Out of PS. Case No.-223 Year-2025 Thana- TRIVENIGANJ District- Supaul

=====

Kundan Kumar @ Kundan Kumar Yadav S/o Dev Narayan Yadav Resident of
Village- Latauna, P.S.- Triveniganj, District- Supaul

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rina Devi W/o Shambhu Paswan Resident of Village- Latauna, P.S.-
Triveniganj, District- Supaul

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s	:	Mr. Jitendra Kumar
For the Opposite Party/s :		Mr. Usha Kumari 1
For the Opposite party no. 2		Ms. Pratibha Shrivastava

=====

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

3 11-06-2026 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the opposite party no. 2.

2. The petitioner seeks bail in a case registered for
the offence punishable under Sections 126(2), 115(2), 74, 352,
351(2),3(5) of B.N.S. and u/s 3(1), 3(1)(r),3(1)(s), 3(2)(va) of
SC/ST Act on cognizance order u/s 26(2), 115(2), 74, 352,
351(2) of B.N.S. and u/s 08,10,17 of POCSO Act and u/s 3(1)(r)
(w)(i), 3(2)(va) of SC/ST Act.

3. The petitioner along with other accused persons
are said to have forcibly caught hold of the hand of the
informant's daughter, abused her using caste based words and
sexually assaulted her.



4. It has been submitted on behalf of the petitioner, at the outset, that the present FIR has been lodged after a delay of 3 days, inasmuch as while the occurrence is said to have been taken place on 30.04.2025, the FIR was lodged on 03.05.2025. It would also appear from the reading of the First Information Report that the occurrence took place in a market area and the allegation upon the petitioner was that he held the hand of the victim who is the daughter of the informant and on protest, the accused persons indulged in hurling caste based abuses and some assault. Learned counsel has also pointed out from order dated 16.01.2026 that the two other persons named in the FIR being Chandan Kumar and Dev Narayan Yadav had not been sent up for trial. However, differing with the final form, cognizance was taken against all the three accused persons including the petitioner. Further, the petitioner is in custody since 18.10.2025 and after charge-sheet, cognizance has already been taken up.

5. Learned APP for the State and learned counsel for the opposite party no. 2 however, oppose the prayer for bail on the ground that it was the petitioner who had indulged in holding the hand of the victim and the allegations stands supported by the statement of the victim under Section 180 and



183 of the BNSS.

6. Taking into consideration the facts and circumstances of the case and also considering the fact that it is not a case of any sexual exploitation and the bail rejection order also indicates that the victim has also sustained no external injury, coupled with the fact that charge-sheet has already been submitted and cognizance taken, let the above named petitioner 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 the learned Court below where the case is pending/successor Court in connection with Triveniganj Police Station Case No- 223/2025.

7. However, it is strictly directed that the petitioner shall not indulge in any act to disturb the informant or the victim and in case of any substantive complain regarding the same, the learned court shall consider the cancellation of bail bonds of the petitioner.

(Soni Shrivastava, J)

devendra/-

U		T	
---	--	---	--

