

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25803 of 2026

Arising Out of PS. Case No.-346 Year-2025 Thana- MADHUBAN District- East Champaran

Bittu Sah Son of Harishankar Prasad Resident of village - Taksari, P.S.-
Madhuban, District - East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. XX Son of Late Rasurat Singh Resident of village - Madhopur, P.S.-
Madhuban, District - East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Advocate

For the Opposite Party/s : Mr. Yogendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 20-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 126(2), 127(2), 140(3), 351(2), 351(3) of BNS and Sections 4 and 6 of the POCSO Act.

3. The case of the prosecution is that the minor son of the informant has gone to the school and it is alleged that the petitioner has committed carnal intercourse with him in class-room.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned



counsel for the petitioner has submitted that the fact is that the petitioner who is the teacher has punished the victim and slapped him. Learned counsel has submitted that during course of trial, the informant, his mother and the victim have given their depositions as P.W.-1, PW.-2 and PW-3 and all the witnesses have denied the occurrence and the victim himself has stated that the petitioner has not committed any wrong act with him. Learned counsel has submitted that in this case, parties have compromised their case. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 20.09.2025.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the 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 in connection with Madhuban P.S. Case No. 346 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned 7th District and Additional Sessions Judge-cum-Special Judge POCSO Act, East



Champaran, Motihari, Bihar.

(Ashok Kumar Pandey, J)

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