

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.27393 of 2026

Arising Out of PS. Case No.-27 Year-2026 Thana- SAKRA District- Muzaffarpur

Ganesh Das Son of Jhingur Das Resident of Village- Mahmadpur kantha,
P.S.- Sakra, District- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. X Son of Y Resident of Village- Mahammadpur Kanthas, P.S.- Sakara,
District- Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rajesh Kumar

For the Opposite Party/s : Mr.Nitya Nand Tiwary

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 29-04-2026 Heard the parties.

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Sakara P.S. Case No. 27 of 2026 registered for the offences punishable under Sections 126(2), 115(2), 118(1), 89, 76 and 3(5) of the BNS and Section 8 of the POCSO Act.

3. As per FIR, son of petitioner made an attempt to commit sexual assault upon six year old daughter of informant and when the occurrence was reported to this petitioner, it is alleged that petitioner along with his family members abused and assault the informant and his wife due to which her five months pregnancy was terminated.

4. It is submitted by learned counsel appearing on



behalf of the petitioner that allegation of sexual assault is not available against this petitioner rather available against his son namely Ankit Kumar and only being father of main co-accused he was implicated with the present crime in question. It is submitted that no medical evidence was brought on record which may suggest allegation of miscarriage. While concluding arguments, it is submitted that above named petitioner is a man of clean antecedent.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submission and by taking note of fact as allegation of sexual assault is not available against this petitioner, rather petitioner prima-facie appears implicated being father of main co-accused namely Ankit Kumar with a very general and omnibus allegation as to abuse and assault the informant and his wife when they reported the occurrence to his family, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge 6th cum Special Judge POCSO-I, Muzaffarpur/concerned Court, where the case is



pending in connection with Sakara P.S. Case No. 27 of 2026,
subject to the conditions as laid down under Section 438(2) of
the Cr.P.C/ Section 482(2) of BNSS.

(Chandra Shekhar Jha, J)

S.Tripathi/-

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