

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31000 of 2025

Arising Out of PS. Case No.-221 Year-2024 Thana- Mufassil District- Purnia

Sikandar Mistry Son of Yogendra Mistry R/O Vill- Bhatgama, P.S.- Muffasil,
P.O.- Bhoga Bhatgama, Panchayat- Bhoga Karid, District- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Ramli Devi W/O Nandan Rishi R/O Vill.- Mushari Tola, Chhotiya, Ward no. 4, P.s.- Muffasil, Dist.- Purnea.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Manish Kumar

For the Opposite Party/s : Mr.Usha Kumari 1

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

7 08-01-2026 Heard learned counsel for the petitioner as well as
learned APP for the State.

2. In this case, the petitioner is seeking regular bail in connection with Muffasil P.S. Case No. 221 of 2024, registered for the offences punishable under Section 64 of the BNS and section 4/8/12 of POCSO Act & 3(i), (r), (m), (ii) SC/ST Act.

3. The informant stated in his *fard beyan* that his daughter and the petitioner were in talking terms. The petitioner duped his daughter and at the pretext of marriage, he had sexual relations with her.

4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated. There is no allegation of intentional humiliation or intimidation



due to malicious feelings of caste, as such, the provisions of SC/ST Act is not attracted. He has submitted further that so far as sexual relation between the victim and the petitioner is concerned, the FIR itself shows that it was consensual.

5. On the other hand, the learned APP for the State has opposed the prayer for bail, as both were admittedly in talking terms. The informant stated himself that the victim and the petitioner were in talking terms. The victim, according to the medical report, is a major girl. The petitioner is under custody for more than a year.

6. Considering the above-mentioned facts and circumstances, let the petitioner above-named be released on bail on furnishing bail bonds of Rs.10,000/- with two sureties of the like amount each to the satisfaction of learned Special Judge (POCSO) Act, Purnea in connection with Mufassil P.S. Case No. 221 of 2024, subject to the condition that the petitioner shall cooperate in the disposal of trial and make himself available as and when required by the court.

(Nawneet Kumar Pandey, J)

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