

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30309 of 2026

Arising Out of PS. Case No.-338 Year-2025 Thana- CHHATAUNI District- East Champaran

Prince Kumar S/o Nathuni Das R/o Village - Chhota Bariyarpur, Baipass Chowk Ward no. 40, P.S - Chhatauni, District - East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. AAA W/o Mukesh Sah R/o Village - Chhota Bariyarpur, Baipass Chowk Ward no. 40, P.S - Chhatauni, District - East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Pragya Bharti, Advocate
For the Opposite Party/s	:	Mr. Satyendra Prasad, APP
For the Informant	:	Mr. Aditya Kumar Pandey, Advocate

CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

3 21-07-2026 Heard Ms. Pragya Bharti, learned Advocate for the petitioner and learned Additional Public Prosecutor for the State. The informant is represented through Mr. Aditya Kumar Pandey, learned Advocate.

2. The petitioner apprehends his arrest in connection with Chhatauni P.S. Case No. 338 of 2025, registered for the offences punishable under Sections 126(2), 352, 75, 77, 78 and 3(5) of the BNS, and Section 8 of the POCSO.

3. Allegedly on the given date and time of the occurrence, while the minor daughter of the informant along with her other friends were going to the coaching, in the meanwhile, the petitioner along with two other co-accused



persons started chasing the making lewd remarks, besides there is allegation of outraging the modesty and capturing photographs without permission. It is also alleged that the accused persons were in inebriated condition and when the entire facts have been brought to the knowledge of the family members of the accused persons, they have also abused and assaulted the informant and other family members.

4. Learned Advocate for the petitioner submitted that the petitioner is a boy of tender age, only 18 years old, and putting him behind the bar would certainly cause prejudice to his future prospect. So far the allegation of eve teasing and molestation is concerned, the same is omnibus in nature and in fact specifically alleged against co-accused Rahul Kumar and Raja Babu, which is also corroborated with the statement of the victim recorded under Section 183 of the B.N.S.S. wherein she has categorically stated that the accused persons were pressurizing the victim to talk with Rahul Kumar and it is Rahul Kumar and Raja Babu, who have abused and assaulted, besides threatened the family members of the victim. The petitioner is a boy of fair antecedent and he undertakes that he will fully co-operate in the proceeding of this Court and would not indulge in such type of activities in future.



5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submits that because of the conduct of the petitioner along with other co-accused persons, the victim and the informant are facing serious threat of their reputation as well as life and property.

6. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of omnibus allegation, besides the statement of the victim who has specifically alleged that there are other co-accused persons who were indulged in threatening and assaulting the family members, besides the petitioner is a boy of tender age having fair antecedent, let the petitioner above named be released on bail, in the event of his arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of the learned 6th District & Addl. Sessions Judge-Cum-Exclusive Special Judge, POCSO Act, East Champaran, Motihari in connection with Chhatauni P.S. Case No. 338 of 2025, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further conditions that



(i) one of the bailors shall be the own/close family members of the petitioner.

(ii) that in case the petitioner shall be found indulge in such activities in the future or engaged in causing threat to the informant or victim, the State or informant shall be at liberty to file an application for cancellation of the bail of the petitioner.

(Harish Kumar, J)

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