

Arising Out of PS. Case No.-31 Year-2026 Thana- Kusumbha District- Sheikhpara

... .. Petitioner/s

Versus

- Opposite Party/s

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

For the Opposite Party/s : Mr.Anil Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE RAJ KUMAR
ORAL ORDER

3 15-07-2026 Heard the learned counsel for the petitioner as
well as the learned Additional Public Prosecutor for the State.

2. The petitioner is languishing in judicial custody since 01.04.2026, seeking regular bail in connection with Kusumbha P.S. Case No. 31 of 2026 registered for the offences punishable under Section 329(4), 351(2), 352, 74, 3(5) of B.N.S. and under Section 8 of POCSO Act.

3. As per the allegations in the prosecution case, in the night of the occurrence, two accused persons including the petitioner, having entered the house of the victim girl, tried to outrage her modesty.

4. The learned counsel for the petitioner submits that



in the statement recorded under Section 183 of the B.N.S.S. though the victim had stated that two accused persons had entered her room, but she could not identify and as such, she has not leveled any allegation against him. It is also submitted that the matter has been compromised between the parties. The petitioner is having a clean antecedent. It has also been submitted that the co-accused Raja Kumar has been granted anticipatory bail by a coordinate Bench of this Court vide order dated 01.07.2026 passed in Cr. Misc. No. 41362/2026.

5. On the other hand, the learned APP for the State has placed on record the statement of the victim recorded under Section 183 of the B.N.S.S. and fairly stated that the allegation has not been supported against the petitioner.

6. Taking into consideration, the aforesaid facts, the prayer for bail of the petitioner is allowed and he is directed to 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 District and Additional Sessions Judge-cum-Exclusive Special Judge (POCSO), Sheikhpura in connection with Kusumbha P.S. Case No. 31 of 2026 subject to the following conditions:-

(i) The petitioner shall cooperate in the disposal of



trial.

(ii) One of the bailors must be close relatives of the petitioner such as mother, father, brother, sister or wife.

(iii) The petitioner will appear on each and every date fixed by the trial court and if, he fails to do so on two consecutive dates, unless he is prevented by extremely adverse circumstances, the learned court below will be at liberty to cancel the bail bond of the petitioner.

(Raj Kumar, J)

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