

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45522 of 2025

Arising Out of PS. Case No.-274 Year-2024 Thana- PAROO District- Muzaffarpur

Gajendra Kumar @ Gajendra Kumar Ram S/o Bhola Ram, R/o Village - Naya Tola Laloo Chhapra, P.S.- Paroo, Distt.- Muzaffarpur.

... .. Petitioner

Versus

1. The State of Bihar
2. Bachiya Devi W/o Gunaur Ram, R/o Village - Naga Tola, P.S.- Paru, Distt.- Muzaffarpur.

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Tiwari, Advocate
For the Opposite Party/s : Ms. Usha Kumari 1, Spl. P.P.

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

9 17-06-2026 Heard learned counsel for the petitioner and
learned Spl. P.P. for the State.

2. Though notice was issued to the informant /
opposite party no. 2, despite opportunities, she did not appear in
the case.

3. In the present case, the petitioner seeks bail in
connection with Paroo P.S. Case No. 274 of 2024 dated
13.08.2024, registered for the offences punishable under
Sections 103(1) and 70(2) read with Section 3(5) of the B.N.S.,
2023 and Sections 4 and 6 of the POCSO Act and also Sections
3(i)(r), 3(i)(s), 3(2)(v) and 3(2)(va) of the SC/ST Act.

4. As per the prosecution case, the minor daughter
of the informant was forcibly taken away by co-accused Sanjay



Rai and his five associates on two to three motorcycles. Subsequently, her dead body was found near a pond in the village. The name of the petitioner transpired during investigation for being involved in the said occurrence.

5. Learned counsel appearing on behalf of the petitioner submits that petitioner is innocent and he has falsely been implicated in the present case and except for the confessional statement of the co-accused Sanjay Rai, no material has come on record to show the involvement of the petitioner in the present occurrence. Learned counsel further submits that petitioner is on inimical terms with the co-accused Sanjay Rai and even in the confessional statement of the co-accused, no allegation of any serious nature has been made against this petitioner. Learned counsel further submits that during investigation it has come to knowledge that the daughter of the informant was in illicit relationship with the co-accused and they used to meet surreptitiously and perhaps the co-accused killed her and put the blame on the petitioner and other co-accused persons. Learned counsel further submits that considering all these facts and circumstances a learned co-ordinate Bench has granted bail to four co-accused persons *vide* orders dated 09.05.2025, 25.07.2025, 17.07.2025 and



15.04.2025 passed in Cr. Misc. No. 19681 of 2025, Cr. Misc. No. 48283 of 2025, Cr. Misc. No. 22934 of 2025 and Cr. Misc. No. 89610 of 2024 respectively and the case of the petitioner stands on better footing. Learned counsel next submits that petitioner is having antecedent of one case and chargesheet has been submitted. Learned counsel lastly submits that petitioner is in custody since 17.02.2025.

6. Learned Spl. P.P. appearing on behalf of the State opposes the submissions made on behalf of the petitioner.

7. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the vague nature of allegation against the petitioner and further considering the lack of substantive material and also considering the submission of chargesheet and petitioner's period of custody, the petitioner, above-named, is directed to be released on bail, on furnishing bail bonds of Rs.10,000/- (Rupees Ten Thousand Only) with two sureties of the like amount each to the satisfaction of learned 7th Additional Sessions Judge cum Special Judge POCSO-II, Muzaffarpur / concerned Court, in connection with **Paroo P.S. Case No. 274 of 2024**, subject to the condition laid down under Section 480(3) of the B.N.S.S. and other following conditions:



(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner will remain present on each and every date fixed by the court below, if so required by the learned trial Court.

(iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.

(Arun Kumar Jha, J)

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