

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50566 of 2025

Arising Out of PS. Case No.-217 Year-2025 Thana- BYPASS District- Patna

Vicky Kumar, S/o Ramesh Prasad, Resident of Bahri Dhawalpur Panchit Akhara Near Radhe Krishna Temple, P.S.- Bypass, District- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. \$ [REDACTED] R/o Bahri Dhawalpura, Panchit Akhara, Near Radheshyam Temple, P.S.- Bypass, Distt- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Dharendra Narain Mallik, Advocate
For the Opposite Party/s : Mr. Kalyan Shankar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

6 19-02-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner has prayed for bail in connection with Bypass P.S. Case No. 217 of 2025 registered for the offence punishable under Sections 69, 3(5), 352, 351(2), 351(3) and 115(2) of B.N.S. and Section 06 of POCSO Act.

3. The case of the prosecution, in short, is that the petitioner who is neighbour of the informant has given her a mobile and they were on talking terms with that mobile. It is further alleged that on 26.01.2025, the petitioner called the informant to Moti Dhaba Hotel and there established physical relationship on the promise of marriage. It is further alleged that



on 18.03.2025 and 15.04.2025 also he established physical relationship. When the family members of the informant came to know, she was sent to her aunt's house at Patna City. It is further alleged that she was being abused when she pressurized for marriage.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. During course of investigation, victim has given her statement under Section 183 of the B.N.S.S. wherein she has stated that she was having affair outside marriage with the petitioner. When the family members came to know about this relationship, she was being threatened by her family members and on pressure of family members, she has filed this case. She likes the petitioner and will marry him after getting major. She has categorically stated that the petitioner has not done anything with her and she has filed this case in pressure. The petitioner has not established physical relationship with her. It has further been submitted that from perusal of the medical examination report which is at page 22(A) of the brief it will transpire that the informant has denied her medical examination. It has also been submitted that the statement of the victim under Section 183 of



the B.N.S.S. goes to show that this F.I.R. has been lodged under pressure and statements made in F.I.R. are not the real facts. A statement has been made in para 3 of the petition that petitioner has no criminal antecedent. He is languishing in judicial custody since 29.04.2025.

5. The application for bail is vehemently opposed by learned APP for the State.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case as well as period of custody, this Court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-VII-cum-Exclusive Special Judge, POCSO court, Patna in connection with Bypass P.S. Case No. 217 of 2025.

(Ashok Kumar Pandey, J)

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