

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59471 of 2025

Arising Out of PS. Case No.-140 Year-2025 Thana- ROH District- Nawada

Chandan Kumar, S/O Kapil Manjhi, R/O Village- Godiyari, P.S.- Roh, Dist.-
Nawada

... .. Petitioner/s

Versus

1. The State of Bihar
2. [REDACTED], R/O Village- Godihari, P.S.- Roh, Dist.-
Nawada

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bipin Kumar, Advocate
		Mr. P.K. Verma, Advocate
For the Opposite Party/s	:	Mrs. Usha Kumari 1, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 12-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Roh P.S. Case No. 140 of 2025 registered for the offence punishable under Sections 126(2), 115(2), 74, 76, 352, 351(2) and 3(5) of B.N.S. read with Sections 8 and 12 of POCSO Act, Section 3(i)(r)(s) of SC/ST Act and Section 67 of I.T. Act.

3. The case of the prosecution, in short, is that the petitioner along with others caught the minor daughter of the informant while she has gone to ease herself in evening at 07.00P.M. and took her to a dark place. When the victim attempted to rescue herself, she was being knocked down by the accused persons. She was being teased. It is further alleged that



the petitioner and Rohit Kumar caught her when she tried to flee away from the place of occurrence and torn her nighty. It is further alleged that Vikrant Yadav started clicking video and all the three accused persons have uploaded the video on Facebook and Instagram on a fake I.D. in the name of Ahiran Sarkar.

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. It has further been submitted that during course of investigation, the supervising authority has directed the I.O. to seize the mobile and also to obtain a certificate under Section 65 of the Indian Evidence Act but the same has not been done by the I.O. and from perusal of the entire case diary, it is clear that it has not been verified by the I.O. as to whether actually the video was made viral on the social media or not. During course of investigation, the victim has given her statement under Sections 180 and 183 of the B.N.S.S. In her statement under Section 180 of the B.N.S.S., she has stated that Chandan Kumar, the petitioner has uploaded her video whereas in her statement under Section 183 of the B.N.S.S., she has stated that all the accused persons have uploaded her video. Petitioner is having no criminal antecedent and he is languishing in judicial custody



since 26.05.2025.

5. Be it as may be, during course of entire investigation the I.O. has not ascertained whether actually video has been uploaded or not.

6. Learned APP appearing for the State has vehemently opposed the application for bail.

7. Having heard learned counsel for the parties and considering the facts and circumstances of the case, 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 Additional District and Sessions Judge-VI-cum-Special Judge (POCSO Act), Nawada in connection with Roh P.S. Case No. 140 of 2025.

(Ashok Kumar Pandey, J)

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