

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.65997 of 2025

Arising Out of PS. Case No.-45 Year-2025 Thana- GOPALPUR District- Bhagalpur

Amit Kumar S/o- Late Kapuri Poddar Village- Gangalday PS-Kahalgaon
Dist- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sheela Devi W/o- Hare Ram Mandal Village- Naya Tola Gangalday PS-
Kahalgaon Dist- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. R.S. Sahay, Advocate Mr. Perna Anand, Advocate
For the State	:	Mr. Upendra Kumar, APP
For the Informant	:	Mr. Swapnil Kumar Singh, Advocate

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

5 04-02-2026 Learned counsel for the petitioner is permitted to
make necessary correction in address (district) of O.P. No. 2 in
course of day.

2. Heard learned counsel for the petitioner as well as
informant and learned APP for the State.

3. In this case, the petitioner is seeking regular bail
in connection with POCSO Case No. 96 of 2025 arising out of
Gopalpur P.S. Case No. 45 of 2025, registered for the offences
punishable under Sections 70(2) of the BNS and 3, 6 of the
POCSO Act.

4. As per the prosecution case, on 05.02.2025, the



16 years old informant's daughter was enticed by co-accused, Shiva Mandal and taken to a river bank. It is alleged that three named accused along with two unknown accused, focibly took the victim onto a boat where they established physical relation with her.

5. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in the present case. It has further been submitted that the petitioner is not named in the FIR rather three other persons are named in the FIR. The victim, in her statement under Section 183 of the BNSS, 2023, though named other co-accused persons but did not named this petitioner. There is nothing against the petitioner in the confessional statement of co-accused Rishi Kumar except that the petitioner was present at the spot. The petitioner is a person of clean antecedent and is in custody since 30.05.2025.

6. On the other hand, the learned counsel for the informant as well as State has opposed the prayer for bail.

7. Considering the above-mentioned facts and circumstances, let the petitioner above-named 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 Exclusive



Special Court of POCSO-cum-Additional Sessions Judge-VII,
Bhagalpur in connection with POCSO Case No. 96 of 2025
arising out of Gopalpur P.S. Case No. 45 of 2025, subject to the
condition that the petitioner shall cooperate in the disposal of
trial and make himself available as and when required by the
court.

(Nawneet Kumar Pandey, J)

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