IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67665 of 2026

CNR No. BRHC010951822026

Arising Out of PS. Case No.-215 Year-2026 Thana- CHHAURADANO District- East Champaran

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Bhola Sah @ Rajeshwar Kumar @ Rajeshwar Sah S/o Daroga Sah R/o Village- Pipra, P.S- Darpa, Distt.- East Champaran.

... ... Petitioner/s

Versus

The State of Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr.Chandra Kant, Adv.
Mr. Sudhanshu Prakash, Adv.
Mr. Navin Kumar, Adv.
Ms. Ayushi Gupta, Adv.
Mr. Manish Kumar, Adv.
Mr. Saksham Anand, Adv.
For the Opposite Party/s : Mr. Bharat Lal, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

3 06-11-2026 Heard learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Chhauradano P.S. Case No. 215 of 2026 dated 19.06.2026 registered for the offence punishable under Section/s 79, 126(2), 127(2), 143(3) of the Bhartiya Nyaya Sanhita, 2023 and Sections 75 & 79 of the J.J. Act and Sections 4, 6, 17 of the POCSO Act.

3. As per the prosecution case, the allegation against the accused persons including the petitioner is that they forced the victims to dance on obscene songs and upon their refusal,

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subjected them to exploitation.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the instant case. Referring to the allegations made in the F.I.R., learned counsel further submits that the girl, who is alleged to have been recovered from the petitioner's musical group, namely, Fool Kumari, is a major. In support of this submission, counsel has appended her Aadhaar Card to the present anticipatory bail application. Learned counsel for the petitioner further submits that the statement of the said girl was also recorded by the police, wherein she did not make any allegation of sexual assault or of any forcible activity having been committed by the petitioner rather, the victim, namely, Fool Kumari, specifically stated that she was engaged in such activities due to poverty and that the petitioner had not committed any wrongdoing against her.

5. In this case, case diary was called for and learned APP, after going through the materials which have surfaced during course of investigation, submits that the submission of the counsel for the petitioner is in consonance with the material which have been placed in the case diary.

6. Having heard the learned counsel for the parties, this

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Court finds that no specific allegation has been made in support of the allegations as contained in the F.I.R. However, the learned court below will examine and verify the veracity of the petitioner and on finding the submissions of the counsel for the petitioner to be correct and the girl being major, in that case, the bail bond of the petitioner shall be accepted.

7. Accordingly, let the petitioner, above named, be released on anticipatory bail in the event of his arrest or surrender before the court below within a period of six weeks from today on furnishing bail bond of Rs. 10,000/- (rupees ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, East Champaran at Motihari in connection with Chhauradano P.S. Case No. 215 of 2026, subject to the condition as laid down under Section 482(2) of the B.N.S.S. as well as the following conditions:

(i) At the time of furnishing bail bonds, the learned court below will examine and verify the veracity of the petitioner and on finding the submissions of the counsel for the petitioner to be correct and the girl being major, in that event, the bail bond of the petitioner shall be accepted.

(ii) One of the bailors should be the family

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member/relative/known of the petitioner who shall provide official document / personal affidavit to show his/her bona fide;

(iii) the petitioner shall appear on each and every date before the Trial Court and failure to do so for two consecutive dates without plausible reason will entail cancellation of his bail bond by the Trial Court itself;

(iv) the petitioner shall in no way try to induce or promise or threat the witnesses or tamper with the evidences, failing which the State shall be at liberty to take steps for cancellation of the bail bonds;

(v) the petitioner shall desist from committing any criminal offence again, failing which the State shall be at liberty to take steps for cancellation of his bail bonds.

(Ajit Kumar, J)

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