

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66594 of 2025

Arising Out of PS. Case No.-354 Year-2025 Thana- PALIGANJ District- Patna

Sandeep Kumar S/O Shri Sharwan Ram Resident of Village- Aspura, P.S.-
Bikram, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. [REDACTED] R/O Village- Ankuri, P.S- Paliganj,
Distt.- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Aman Kumar, Advocate
For the State	:	Mr. Akshay Lal Pandit, APP
For the Informant	:	Mr. M.P. Bhartee, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
CAV ORDER

8 25-02-2026 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the Informant.

2. The petitioner has prayed for regular bail in connection with Paliganj P.S. Case No. 354 of 2025 instituted for the offence under Sections 69 and 96 of BNS and Sections 4 and 6 of the POCSO Act.

3. The case of the prosecution is that the minor daughter of the informant used to go her aunt's house at Aspura. The petitioner Sandeep is neighbourer of informant's sister-in-law at Aspura. It is further alleged that the petitioner has established relationship with the victim and started calling her at his room. She disclosed the informant that she started going to



the house of the petitioner. On the false promise of marriage, on 20.07.2025, when the victim has gone to Mahabalipur Market for purchasing some articles, the petitioner took her to his room, from there, police recovered her. The victim told her that the petitioner has started establishing physical relationship on false promise of marriage and that she is having pregnancy of two months. During course of investigation, the victim has given her statement under Section 183 of BNSS wherein she has stated that she was having friendship with the petitioner and was on talking terms from the last six months. The petitioner was having her obscene photographs and he started blackmailing her and called her at Patna on the false promise of marriage. On 20.07.2025, when she went to Patna on the call of the petitioner, her mother started searching her. Her aunt told her that she has come to Patna. The petitioner is neighbourer of her aunt. She was recovered by police from the house of Sandeep the petitioner. She has further stated that she is pregnant and the petitioner is denying marriage with her. During course of examination, her medical examination was also conducted and her pregnancy test was found positive and the doctor conducting the medical examination report of the victim has opined that her age is assessed to be 17-19 years.



4. Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. He has falsely been implicated in this case. Learned counsel for the petitioner has further submitted that the relationship between the petitioner and the victim was on will and it was not forced one. It has also been submitted that it was a relationship between two majors as the doctor has opined that the age of the victim is 17-19 years. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 22.07.2025.

5. Learned APP appearing for the State and learned counsel for the informant have opposed the prayer of regular bail. Learned counsel for the informant has submitted that from perusal of the diary, it will transpire that on the basis of school first attended, the date of birth of the victim is 15.02.2009 and the date of occurrence 20.07.2025 it means, on the date of occurrence, she was less than 16 years. The date of birth certificate from the school first attended is one of the documents to be considered for determination of use in view of Rule 12(3) of J.J. Rules and also Section 94 of J.J. Act. It has also been submitted that the victim is pregnant which is apparent from the medical examination report.



6. Having heard the learned counsel for the parties and considering the nature of allegation against this petitioner, this court is not inclined to enlarge the petitioner on bail at this stage and, as such, his prayer for bail stands rejected.

7. However, the petitioner will be at liberty to renew his prayer for bail after six months if the trial is not concluded.

8. Learned trial court is directed to expedite the trial and conclude the same in view of Section 35(2) of the POCSO Act.

(Ashok Kumar Pandey, J)

Shubham/-

AFR/NAFR	NAFR
CAV DATE	12.02.2026.
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