

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79135 of 2025

Arising Out of PS. Case No.-8041 Year-2023 Thana- PATNA COMPLAINT CASE District-
Patna

Rocky Kumar @ Rockey Kumar S/o Birju Das R/o Village- Bharthu, Pind
Par, Post- Bharthu, PS- Ghosi, Distt.- Jehanabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kumari Bharti W/o Bablu Kumar R/o vill - Bharthu, Pind Par, Post -
Bharthu, P.S.- Ghosi,

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Priyadarshi Pankaj Raj Anand, Advocate
For the State	:	Mr.Nand Kishore Prasad, APP
For the Informant	:	Mr. Ranjay Kumar, Advocate
		Mr. Amit Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN

ORAL ORDER

3 19-03-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner who apprehends arrest in connection
with Complaint Case No. 8041 of 2023 in which cognizance has
been taken under Sections 341, 323, 354, 448 and 504 of the
Indian Penal Code.

3. As per the prosecution, the complainant has filed
the present complaint alleging therein that all the accused
persons abused and assaulted her with a view to pressurize her
to withdraw the case filed by her against the co-accused. It is



specifically alleged against the petitioner that he attempted to outrage the modesty of the complainant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. It is further submitted that the present complaint has been filed in retaliation to the case lodged by the petitioner, being Ghosi P.S. Case No. 515 of 2023, against the complainant's brother-in-law, in which the petitioner himself is the victim.

5. It is further submitted that the petitioner is also an accused in one other criminal case, in which he has already been granted bail. The petitioner undertakes to abide by all the conditions that may be imposed by this Hon'ble Court and assures that he shall not repeat any such act in future in the event of grant of bail.

6. Learned counsel for the complainant vehemently opposes the prayer for bail and submits that the petitioner used to cast a lewd eye upon her even after her marriage and has even dared to enter her house with an intention to outrage her modesty.

7. Learned A.P.P. for the State also opposes the prayer for bail and submits that there are specific allegations under Section 354 of the Indian Penal Code in the F.I.R.



6. Considering the age of the petitioner and the assurance given by him that he shall not commit any such act in future, let the above named petitioner be released on bail, in the event of arrest or surrender before the Trial Court within a period of four weeks from today, on furnishing bail bond of ₹30000/- (thirty thousand) as mentioned in Section 2(1) (d) of the Bharatiya Nagrik Suraksha Sanhita, 2023 to the satisfaction of the learned Judicial Magistrate, 1st Class, Patna, in connection with the aforementioned case, subject to the conditions as laid down under Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023 as well as following conditions :-

(i) one of the bailor should be the family member of the petitioner who shall provide official document to show his *bona fide*;

(ii) 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 bonds by the Trial Court itself;

(iii) the petitioner shall appear before the concerned police station fortnightly for one year to mark attendance; and

(iv) he petitioner shall not, in any manner, attempt to disturb or interfere with the complainant. In the event of any



such violation, the State shall be at liberty to take appropriate steps for cancellation of the petitioner’s bail bonds.

(Dr. Anshuman, J)

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