

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.71617 of 2025

Arising Out of PS. Case No.-209 Year-2020 Thana- BHABHUA District- Kaimur (Bhabua)

Sandeep Sharma S/o Shankar Sharma R/o Village- Dumdum, P.S.- Bhabhua,
District- Kaimur

... .. Petitioner/s

Versus

1. The State of Bihar
2. X S/o Y R/o Village- Dumdum P.S.- Bhabhua, District- Kaimur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Satyendra Pandey, Advocate
For the Opposite Party/s : Mr. Raj Kishor Singh, APP

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

4 18-03-2026 1. Heard learned counsel for the petitioner and
learned A.P.P. for the State.

2. The petitioner seeks bail in a case registered for the
offences punishable under Section 366A of the Indian Penal
Code and later charge sheet has been submitted under Sections
366A, 376 and 34 of the Indian Penal Code read with Section 4
of the POCSO Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and in sum and
substance, the allegation is that the daughter of the informant
was kidnapped by Rajesh.

4. Learned counsel for the petitioner submits that
petitioner is not named in the FIR and his name transpired in the



statement of the victim recorded under Section 164 Cr.P.C. wherein she alleged that she was raped by the accused persons including the petitioner. It is further submitted that Rajesh was taken in custody on 29.01.2021 and he approached this Court seeking regular bail by filing Criminal Miscellaneous No. 20426 of 2022 on the ground that after the statement of the victim was recorded under Section 164 Cr.P.C., the father of the victim filed an application before the learned Trial Court stating therein that the victim has been married and the case was instituted under misconception. It is submitted that Criminal Miscellaneous No. 20426 of 2022 was rejected by an order dated 06.01.2023 with liberty to Rajesh to renew his prayer for bail, if the trial is not concluded within a period of seven months from the date of the order i.e. 06.01.2023. It is submitted that Rajesh faced the trial and was acquitted. It is further submitted that the instant petitioner is in custody since 20.06.2025 and the charges against him have been framed by an order dated 19.11.2025 (Annexure P/2 to the supplementary affidavit). It is submitted that if privilege of bail is granted to the petitioner, the petitioner will not abscond rather will face the trial to prove his innocence.

5. Learned A.P.P. for the State opposes the prayer for bail of the petitioner.



6. Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, is directed to be released on bail on furnishing bail bonds of Rs. 25,000/- (Rupees Twenty Five Thousand) with two sureties of the like amount each to the satisfaction of the learned Trial Court where the case is pending/successor court in connection with Bhabhua P.S. Case No 209 of 2020.

7. One of the bailors of the petitioner shall be his father namely Shankar Sharma.

8. It is made clear that if the learned Trial Court comes to a conclusion that petitioner, after his release on bail, is trying to delay the trial in any manner, in that event the learned Trial Court shall be at liberty to cancel the bail bonds of the petitioner.

9. Accordingly, the instant bail application is allowed.

(Satyavrat Verma, J)

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