

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.72467 of 2025

Arising Out of PS. Case No.-220 Year-2025 Thana- CHAND District- Kaimur (Bhabua)

Munna Kumar @ Munna Bind S/O Sudarshan Bind R/O Vill.- Baheriyam,
P.S.- Chand, Dist.- Kaimur at Bhabua

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Miss X D/O Babulal Prasad R/O Vill.- Baheriyam, P.S.- Chand, Dist.- Kaimur at Bhabua

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anil Kumar, Adv. Mr. Sanjeev Kumar, Adv.
For the informant	:	Mr. Awadhesh Saran, Adv.
For the Opposite Party/s	:	Ms. Renu Kumari, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 08-01-2026 Heard learned counsel for the petitioner, learned counsel for the O.P. No. 2 and learned A.P.P for the State.

2. The petitioner seeks bail in connection with Chand P.S. Case No. 220 of 2025 dated 20.08.2025 registered for the offences punishable under Sections 64(1), 96, 115(2) of the B.N.S. and Section 4/6 of the POCSO Act.

3. As per the prosecution case, the minor daughter of the informant was found to be missing from home and during search, it was discovered that she had been seen with Munna Kumar @ Munna Bind heading towards Railway Station and when the victim was located, she has stated that while she had gone to attend the call of nature, the accused Munna Kumar



forcibly grabbed and raped her. When the victim tried to raise hulla, the accused assaulted her and even took her along with him at the station and next morning she returned.

4. Learned counsel for the petitioner submits that the present case is false and concocted case. The allegation of rape has not been proved in medical examination report and from perusal of the same, it is evident that there was no sign of any injury found on the body of the victim and there was no sign of any sexual assault. It has further been submitted that even the age of girl was assessed to be between 16 to 18 years and her being minor is also falsified. The victim in her statement recorded u/s 183 of the B.N.S.S., wherein she had though stated that the petitioner had committed wrong with her however learned Magistrate have noted the fact that **“the entire incident of sexual assault/ rape committed by the petitioner was being stated by the girl while laughing”**. It has lastly been submitted that the petitioner has clean antecedent and he is in custody since 20.08.2025.

5. Learned A.P.P. for the State and learned O.P. No. 2 have vehemently opposed the prayer for bail of the petitioner. Learned O.P. No. 2 has submitted that the specific allegation is against the petitioner who committed rape upon the victim.



6. Considering the aforesaid submission as well as taking into account of the facts and circumstances of the case, the petitioner is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, Kaimur at Bhabua in connection with Chand P.S. Case No. 220 of 2025, subject to the following terms and conditions :-

(i) One of the bailors shall be a close relative of the petitioner.

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will liable to be cancelled by the Court concerned.

(iv) The trial court shall verify the criminal antecedent of the petitioner and in case, at any stage, it is found that the petitioner has concealed his criminal antecedents, the trial court shall take necessary steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above mentioned order shall not be delayed for purpose of or in



the name of verification.

(v) The petitioner shall refrain from meeting with the victim or her family during the pendency of the trial.

7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

8. The application stands allowed.

(Sourendra Pandey, J)

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