

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No 77928 of 2025

Arising Out of PS. Case No.-263 Year-2022 Thana- TAJPUR District- Samastipur

1. Pankaj Ray @ Pankaj Rai @ Pankaj Kumar S/o Pawan Rai R/o Village - Banbaripur, P.S - Tajpur (Halai O.P), District - Samastipur
2. Vijay Ray @ Vijay Rai S/o Feku Rai R/o Village - Banbaripur, P.S - Tajpur (Halai O.P), District - Samastipur
3. Sushil Ray @ Sushil Rai S/o Ram Udesb Rai R/o Village - Banbaripur, P.S - Tajpur (Halai O.P), District - Samastipur
4. Kamlesh Rai @ Kamlesh Ray @ Kamalesh Kumar S/o Bhikhar Rai R/o Village - Banbaripur, P.S - Tajpur (Halai O.P), District - Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shobhit Ray S/o Wala Ray R/o Village - Banbaripur, P.S - Tajpur (Halai O.P), District - Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Surya Narayan Roy

For the Opposite Party/s : Mr.Kumar Veerendra Narayan

CORAM: HONOURABLE MR JUSTICE RANJAN KUMAR JHA

ORAL ORDER

7 15-07-2026 Heard learned counsel for the petitioners and the learned APP.

2 This application has been filed on behalf of the petitioners for grant of anticipatory bail, who are apprehending their arrest in connection with Tajpur PS Case No 263 of 2022 registered for the offence punishable under Sections 341, 323, 354B of the IPC and Sections 8, 17 of the POCSO Act.

3 Earlier vide order dated 18.11.2025, notices were issued upon the opposite party no. 2. Thereafter vide order dated



27.04.2026, this Court treated the notices served validly, in spite of that after laps of considerable period, no one appeared on behalf of the opposite party no. 2.

4 The allegation against the petitioners in the FIR is that they caught the victim's hands, pulled her hairs and assaulted her with slaps.

5 The learned counsel for the petitioners submits that except catching the girl's hands, pulling her hairs and assaulting by slaps, nothing is in the FIR even if the FIR is seen in its entirety. It is further submitted that the police submitted final form in favour of the petitioners but the Court below, differing with the final form, has taken cognizance which occasioned this petition.

6 The learned counsel for the State vehemently opposed the prayer for bail.

7 Having considered the rival submissions and in the background that none of the sections of POCSO Act is attracted in the present case, I am inclined to grant anticipatory bail to the petitioners.

8 Let the petitioners above named, in the event of their arrest/surrender within a period of four weeks from today, be released on bail on each of them furnishing bonds of Rs



10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge VI -cum- Special Court (POCSO Act), Samastipur in Tajpur PS Case No 263 of 2022 subject to all conditions as laid down under Section 482 (2) of the BNSS.

9 This application is allowed.

(Ranjan Kumar Jha, J)

M.E.H./-

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