

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77539 of 2025

Arising Out of PS. Case No.-110 Year-2025 Thana- TARAPUR District- Munger

Balram Kumar @ Balram Kumar Rajak S/o Rambilash Rajak Resident of
Mohalla Sahora, P.S- Sangrampur, Dist- Munger

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Mr. X Son of Y Resident of Village- Gogachak Tarapur,, P.S.- Tarapur,
Distt.-Munger

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. S.B.K. Manglam, Advocate
	:	Mr. Awnish Kumar, Advocate
	:	Mr. Kumar Gaurav, Advocate
	:	Mr. Vikash Kumar Singh, Advocate
	:	Mr. Rishi Raj, Advocate
For the State	:	Mr. Uma Shankar Prasad Singh, APP
For the O.P. No.2	:	Mr. Rajan Kumar Jha, Advocate
	:	Mr. Rana Pratap Singh, Advocate
	:	Mr. Vikash Kumar, Advocate
	:	Ms. Kumari Nitu, Advocate

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

4 23-02-2026 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the opposite party no.2.

2. The petitioner seeks bail in a case registered for the
offence punishable under Sections 87 of the B.N.S.

3. As per the prosecution case, the informant
alleged that the petitioner kidnapped his minor daughter.

4. Learned counsel for the petitioner submits, at the
outset, that there is a delay of five days in lodging the First
Information Report and the informant is in the habit of filing



such cases as after filing of the present case another case being Shambhuganj P.S. Case No.234 of 2025 dated 17.09.2025 (Annexure-2) was filed against some other persons concerning the kidnapping of the same victim girl. It has been submitted that the statement of the victim girl under Section 183 of the B.N.S.S. stands in contradiction to her statement under Section 180 of the B.N.S.S. and she has admitted that she had left home on instructions of the petitioner and had gone to Sultanganj then Bhagalpur and other places. Although, she has alleged that rape was committed with her, but has also stated that both of them had come back from the said hotel and she had known the petitioner since 2022. It is also a fact that the victim has refused her medical examination. The petitioner is in custody since 18.05.2025 with no criminal antecedent and charges have been framed against the petitioner, however, no witness has been examined on behalf of the prosecution.

5. Learned APP for the State and learned counsel for the opposite party no.2 have vehemently opposed the grant of bail on the ground that the present case is one under the POCSO Act and there is allegation against the petitioner.

5. Learned APP for the State opposed the bail petition.



6. Taking into consideration the facts and circumstances and considering the factum of delay in lodging the F.I.R., coupled with the statement of the victim and also considering that only charges have been framed and there is no likelihood of conclusion of trial in near future, let the above named petitioner, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Exclusive Special Judge (POCSO Act)-cum-District and 6th Additional Sessions Judge, Munger/concerned Court below in connection with Tarapur P.S. Case No. 110 of 2025 subject to condition that:-

(i) One of the bailors will be his own blood relative, preferably, father, mother, brother, sister and/or his wife.

(ii) The petitioner shall remain physically present in court on each and every date during trial and in the event of failure on two consecutive dates without sufficient reasons, his bail bonds shall be liable to be cancelled by the learned court concerned.

(Soni Shrivastava, J)

anand/-

U		T	
---	--	---	--

