

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76138 of 2025

Arising Out of PS. Case No.-246 Year-2025 Thana- BANKA District- Banka

Rupesh Kumar Son of Jamun Yadav Resident of village - Gauripur, Police Station - Banka, District - Banka.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Meena Devi Wife of Late Ajit Singh Resident of village - Domuhan, Police Station - Banka, District - Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate

For the Opposite Party/s : Mr. Parmanand Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 21-01-2026 Despite of entered appearance through *Vakalatnama*,
no one appeared on behalf of the Opposite Party No.2.

2. Heard Mr. Ajay Mukherjee, learned counsel for the petitioner as well as Mr. Parmanand Kumar, learned Additional Public Prosecutor for the State.

3. Petitioner seeks bail who is in custody since 07.06.2025 in connection with Banka P.S. Case No. 246 of 2025, F.I.R. dated 06.06.2025 for the offences punishable under Sections 81 of the Bharatiya Nyay Sanhita, 2023 and Section 4 of the POCSO Act.

4. According to prosecution case, the informant alleged that on 04.05.2025, the petitioner came to meet her



daughter and made physical relation with her. It is further alleged that on pretext of marriage, the petitioner used to make physical relation with informant's daughter for about six months.

5. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. From bare perusal of the FIR it appears that there is specific allegation against the petitioner but it appears from the statement of victim recorded under Section 180 B.N.S.S that she has voluntarily established relationship with the petitioner. He further submits that the police after investigation submitted the charge-sheet and the petitioner is in custody since 07.06..2025.

6. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and circumstances, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-6-cum-Special Judge POCSO, Banka in connection with Banka P.S. Case No. 246 of 2025, subject to the following conditions:-



i. Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the court and shall remain physically present as directed by the court and on his absence on two consecutive dates without sufficient reason, his bail bond shall be cancelled by the Court below.

ii. If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

iii. And further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification..

(Rajesh Kumar Verma, J)

Suruchi/-

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

