

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.77117 of 2025

Arising Out of PS. Case No.-306 Year-2025 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Ankit Kumar S/O Mr. Amarjeet Kumar Das R/O village - Jitwarpur Nizamat,
P.s - Muffasil, District - Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Laxman Pal S/O Late Ramcharitra Rajak R/O village - Jitwarpur Nizamat
Ward no.- 16 , P.s - Muffasil, District - Samastipur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ritwik Thakur, Adv.

Ms.Vaishnavi Singh, Adv.

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

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CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL ORDER

4 17-02-2026 Heard learned counsel for the petitioner and

learned APP for the State. No one appears on behalf of

opposite party no.2 despite valid service of notice.

2. A prayer for bail has been made on behalf of the

petitioner in connection with Samastipur Muffasil P.S. Case

no.306 of 2025 registered under sections 76, 74, 78 and

351(2) of BNS, 2023 and Section 8 and 12 of POCSO Act.

3. Allegation in the F.I.R is that petitioner is said to

have stalked the informant's daughter, caught her by hand and

dragged her with intention to sexually assault and molest her.

4. Learned counsel for the petitioner submits that

F.I.R has been lodged after a delay of five days, for which no

explanation has been tendered. With respect to an earlier

incident, as disclosed in the F.I.R, no complaint was ever



lodged by the victim or her family members and even in the statement of the victim, recorded under Section 183 of BNSS, it appears that no specific act of sexual assault etc., has been alleged by the victim rather this F.I.R has been filed on the ground that she was taken away by the petitioner and yet had held her hand and used to disturb her and also used to harass her. The petitioner is a young boy aged about 19 years and he is in custody since 18.07.2025 and undertakes to cooperate in the case/trial.

5. The application for bail is opposed by learned A.P.P. for the State.

6. Taking into consideration the aforesaid facts and circumstances of the case and also considering the fact that there is delay of 5 days in lodging of F.I.R coupled with the fact that no act of sexual assault etc., has been alleged against the petitioner and he has remained in custody since 18.07.2025, the petitioner is directed to be enlarged on bail in connection with Samastipur Muffasil P.S. Case no.306 of 2025 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 Court concerned where the case is



pending/successor Court, subject to the following conditions:-

(I) One of the bailors of the petitioner shall be the father of the petitioner.

(II) Petitioner would co-operate in getting the charges framed.

(Soni Shrivastava, J)

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