

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79921 of 2025

Arising Out of PS. Case No.-503 Year-2025 Thana- AMARPUR District- Banka

Sonu Paswan @ Sonu Kumar S/o Kailash Paswan R/o Village- Oray Jankipur,
Police Station- Amarpur, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 19-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under sections 126(2), 115(20, 352, 351(2), 64 and 3(5) of BNS and Section 67(a) of the I.T. Act.

3. The case of the prosecution is that the informant who is a married lady has alleged that the petitioner who is cousin brother-in-law has established physical relationship for one year on the promise of marriage and also clicked video of the informant and the video was made viral. It is further alleged that due to some family dispute between the informant's husband and petitioner along with his family, they threatened that they will viral the video of the informant. It is further



alleged that on 04.07.2025, one Madan Paswan told that the video of the informant is viral on instagram.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned counsel for the petitioner has submitted that from perusal of the FIR itself, it is clear that the physical relationship between the petitioner and the informant was from one year and on 04.07.2025 she has come to know that the video was made viral despite that, the case was filed on 24.07.2025. It is also described in the FIR that a panchayati was held in the village on 22.07.2025. Learned counsel has further submitted that from perusal of the medical report of the informant, the doctor has not found any remarkable things and has opined that final opinion regarding recent sexual assault cannot be given conclusively based on available clinical findings alone and has also found no sign of recent or remote injury over *labia majora*, *labia minora* or cervical or any part of the body. Learned counsel has also submitted that from perusal of the FIR, Madan Paswan has disclosed the informant that he has seen the viral video but during entire investigation, the statement of the Madan Paswan was not recorded by the I.O. and there is no material to show that the video was made viral. Admittedly, the informant is a



married lady, so, there can't be physical relationship on the promise of marriage. He has further submitted that relationship between them, if any, was consensual. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 28.07.2025.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Amarpur P.S. Case No. 503 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Chief Judicial Magistrate, Banka.

(Ashok Kumar Pandey, J)

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