

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74965 of 2025

Arising Out of PS. Case No.-491 Year-2025 Thana- MUFFASIL District- West Champaran

Govind Singhania @ Govind Singhaniya S/O Jay Prakash Paswan @ Jai Prakash Paswan R/O Village- I.T.I Jay Prakash Nagar, P.S- Bettiah Muffasil, Distt.- West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rajesh Kumar Gupta S/O Dhrup Prasad Gupta R/V- I.T.I Road No. 3, P.S- Bettiah Muffasil, Distt.- West Champaran.

... .. Opposite Party/s

with
CRIMINAL MISCELLANEOUS No. 78311 of 2025

Arising Out of PS. Case No.-491 Year-2025 Thana- MUFFASIL District- West Champaran

Ankit Kumar Son of Sri Hardev Prasad Resident of Village - I.T.I. Jaiprakash Nagar, P.S. - Bettiah Muffasil, Dist. - West Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Rajesh Kumar Gupta Son of Sri Dhrup Prasad Gupta Resident of Village - I.T.I., Road No. 03, P.S. - Bettiah Muffasil, Dist. - West Champaran.

... .. Opposite Party/s

Appearance :

(In CRIMINAL MISCELLANEOUS No. 74965 of 2025)

For the Petitioner/s	:	Mr. Arbind Kumar Singh, Advocate
For the State	:	Mr. Ram Naresh Ray, APP
For the O.P. No. 2	:	Mr. Abhishek Raj, Advocate
		Mr. Ashish Ranjan Garg, Advocate
		Mr. Ashutosh Ratan Shrivastava, Advocate

(In CRIMINAL MISCELLANEOUS No. 78311 of 2025)

For the Petitioner/s	:	Mr. Sharad Kumar Verma, Advocate
For the State	:	Mr. Tarkeshwar Nath Thakur, APP
For the O.P. No. 2	:	Mr. Abhishek Raj, Advocate
		Mr. Ashish Ranjan Garg, Advocate
		Mr. Ashutosh Ratan Shrivastava, Advocate

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 17-01-2026 Heard learned counsel for the petitioners and learned



APP for the State as well as learned counsel for the O.P. No. 2.

2. The petitioners seek bail in connection with Bettiah (M) P.S. Case No. 491 of 2025 dated 17.09.2025, registered for the offences punishable under Sections 126(2), 127(2), 75, 76, 78, 109, 351(2) and 3(5) of B.N.S., 2023 and Section 8 of the POCSO Act.

3. As per allegation, both the petitioners have committed sexual harassment by way of stopping the bicycle of the victim while going to her educational institute. It is further case of the prosecution that even prior to the occurrence, she was threatened by the petitioners and asked to go to hotel.

4. Learned counsel for the petitioners submits that the petitioners are innocent and have falsely been implicated in this case. He further submits that the alleged offence amounts to at most sexual harassment which is punishable up to three years. He also submits that not only charge-sheet has been submitted, but even charge has been framed and the petitioners will co-operate in the trial and no similar type of offence would be committed.

5. He further submits that the petitioners are in custody for about four months since 18.09.2025.

6. It has also been stated in paragraph no. 3 of the bail



petition that the petitioner No. 1/Govind Singhania @ Govind Singhaniya has no criminal antecedent, whereas petitioner No. 2/Ankit Kumar has two criminal antecedents.

7. It is also stated in paragraph no. 2 of the bail petition that the petitioners have not moved this Court earlier either for anticipatory bail or regular one.

8. However, learned APP for the State and learned counsel for the O.P. No. 2 vehemently oppose the prayer of the petitioners for bail submitting that the alleged offence is serious in nature and dignity of one minor girl has been compromised. Hence, the petitioners do not deserve regular bail.

9. Considering the fact that the alleged facts and circumstances *prima facie* constitute sexual offence which is punishable up to three years and the petitioners are already in custody for about four months and investigation is complete and the case is at the stage of trial, **this application is allowed**, directing the petitioners, above-named, to be enlarged on bail on their furnishing bail bonds in the sum of Rs. 10,000 /- (Ten Thousand) each with two sureties of the like amount each to the satisfaction of learned concerned Court below in connection with Bettiah (M) P.S. Case No. 491 of 2025, on the following conditions:



(i) The petitioners will make themselves available for interrogation by a police officer/court as and when required.

(ii) The petitioners will undertake that investigation/trial will not get hampered on account of their absence or non-cooperation. They must be available to the police or the court whenever their presence is required.

(iii) The petitioners shall not, directly or indirectly make any inducement, threat or promise to any person acquainted with the facts of the case so as to dissuade them from disclosing such facts to the court or to any police officer.

(iv) In case, it is brought to the notice of the court below that the petitioners have any criminal antecedents other than the disclosed one, learned court below shall cancel the bail bonds of the petitioners after hearing them and getting satisfied that the petitioners have concealed their criminal antecedents despite their knowledge of the same.

(v) In case, it is brought to the notice of the court below that statement regarding previous bail petition is wrong, learned court below shall cancel the bail bonds of the petitioners.

(Jitendra Kumar, J)

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