

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79620 of 2025

Arising Out of PS. Case No.-210 Year-2025 Thana- SIMRI BAKHTIYARPUR District-
Saharsa

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Raushan Kumar Singh Son of Balmukund Singh Resident of Village Ward no.
07, Shahpur(Mehdaspur), P.S. - Chariya Bariyarpur, District - Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Israr Alam Son of Late Abdul Jabbar R/o Village - Ranginiya, Ward no.
14, P.S. - Bakhtiyarpur, Dist. - Sharasa.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Braj Bhusan Poddar, Advocate
For the informant	:	Mr. Subesh Sharma, Advocate
For the Opposite Party/s	:	Mr.Navin Kumar Pandey, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 29-01-2026 Heard Mr.Braj Bhusan Poddar, learned counsel for

the petitioner, Mr. Subesh Sharma, learned counsel for the

informant and Mr.Navin Kumar Pandey, learned Additional

Public Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
17.07.2025 in connection with Simri Bakhtiyarpur P.S. Case No.
210 of 2025, F.I.R. dated 03.07.2025 registered for the offence
punishable under Sections 137(2),87,308(2),352,351(2) of BNS.

3. The prosecution story in brief is that the Informant
Md Israr Alam dated 03.07.2025 gave a written application
before the Bakhtiyarpur police station alleging that her daughter
namely Raushan Parveen age about 18 years is unsound mind



and she several times go out from his house but he searched out him after sometime. Dated 08.06.2025 evening 7:00 PM she again out from his house and during searching not trace out. On 28.06.2025 come a phone call his Mob No. 9155917156 from Mob. No. 620059502 and one boy said him your daughter is my possession you send rupees on Mob. No. 8789001885 then I will reach your daughter Simri Bakhityarpur. Thereafter he threatened if you not send money then I viral the objectionable video of your girl on facebook and instagram.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. From a bare perusal of the FIR it appears that the date of occurrence as alleged in the FIR is 28.06.2025 but the present FIR has been instituted on 03.07.2025 after delay of 06 days without giving any explanation of delay. The victim was recovered and her statement was recorded under Section 183 of BNSS, 2023 in which she has not supported the case of the prosecution, apart from the aforesaid, nothing has been found in the medical examination. The police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody



since 17.07.2025.

5. Learned counsel for the informant and learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, petitioner has clean antecedent and the victim has not supported the case of the prosecution in her statement under Section 183 of BNSS,2023, 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 learned A.D.J.-VI-cum-Exclusive Court, POCSO Act, Saharsa in connection with Simri Bakhtiyarpur P.S. Case No. 210 of 2025, with 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/her absence on two consecutive dates without sufficient reason, his/her 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)

Nitesh/-

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