

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84305 of 2025

Arising Out of PS. Case No.-321 Year-2025 Thana- ARA NAWADA District- Bhojpur

Rajendra Prasad S/O Late Ramji Prasad R/O Vill./Mohalla- Anaith Mathiya,
Nawada, P.S.- Ara Nawada, Dist.- Bhojpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Khushi Kumari Daughter of Deepak Kumar Resident of Village Aannd Nagar, P.S.- Nagar, District- Bhojpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Humayou Khan, Advocate
For the State	:	Mr. Md. Ataur Rahman, APP
For the O.P. No. 2	:	Mr. Binod Kumar Sinha, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 11-02-2026 Heard learned counsel for the petitioner and learned

APP for the State as well as learned counsel for the opposite

party no. 2.

02. In the present case, the petitioner seeks bail in connection with Ara Nawada P.S. Case No. 321 of 2025 registered for the alleged offences under Sections 77, 79, 351(2), 352 of Bharatiya Nyaya Sanhita, 2023, Section 8 of the POCSO Act and Section 66(E) and 67 of the Information Technology Act.

03. As per prosecution case, the petitioner entered into obscene talks with the informant as the informant had earlier been working in the office of the petitioner. The petitioner also



put a photograph of the informant on telegram.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No occurrence in the manner as alleged has ever taken place. The petitioner has earlier lodged Ara Nawada P.S. Case No. 322 of 2025 against the informant which is the true version of the case. Learned counsel further submits that from the facts of the case, it is apparent that no offence is made out. The informant is not a minor and no offence under POCSO Act is made out. The petitioner has got clean antecedent and is in custody since 17.05.2025. Charge-sheet has been submitted.

05. Learned APP for the State as well as learned counsel appearing on behalf of opposite party no. 2 opposes the submission made on behalf of the petitioner. Leaned counsel for the opposite party no. 2 submits that the petitioner does not deserve bail.

06. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the nature of allegation and further considering the period of custody of the petitioner and his clean antecedent along with submission of charge-sheet, the petitioner above named is directed to be released on bail on furnishing bail bonds of Rs.



10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Exclusive Special Judge, POCSO Act, Bhojpur at Ara in connection with Nawada Town P.S. Case No. 321 of 2025, subject to the conditions mentioned in Section 480(3) of BNSS and the following conditions:

- (i) One of the bailors will be a close relative of the petitioner.
- (ii) The petitioner will remain present on each and every date fixed by the court below.
- (iii) In case of absence on three consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the court concerned.

(Arun Kumar Jha, J)

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