

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.81290 of 2025

Arising Out of PS. Case No.-14 Year-2025 Thana- SC/ST District- Buxar

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Sandesh Chaudhary @ Raj Kumar Son of Bhola Chaudhary Resident of
Village- Nawadera (Nonia Dera), P.S. -Naya Bhojpur, District- Buxar

... .. Petitioner/s

Versus

1. The State of Bihar
2. X Y Resident of Village- Nawadera tola, (Nonia tola), Po- Naya Bhojpur
P.S. -Naya Bhojpur, District- Buxar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Dharmesh Kumar Shrivastava, Advocate

For the Opposite Party/s : Ms. Usha Kumari 1, APP

For the Informant : Mr. Navin Kumar Jha, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 31-01-2026 Heard Mr. Dharmesh Kumar Shrivastava, learned
counsel for the petitioner, Mr. Navin Kumar Jha, learned
counsel for the informant and Ms. Usha Kumari 1, learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
01.07.2025 in connection with POCSO Case No. 82 of 2025
arising out of Buxar SC/ST Case No. 14 of 2025, F.I.R. dated
11.05.2025 for the offences punishable under Sections 76 and
64 of the BNS, 2023, Sections 3(i) (r) (s) (w) (wi) 3(2) (v) of the
SC/ST Act and Section 4/6, 8/12 of the POCSO Act.



3. According to prosecution case, co-accused Akash Chaudhary committed rape upon the victim and this petitioner along with other accused person also tried to commit the same and threatened her for making her video viral if she told anyone about the said incident.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. The allegation as alleged in the F.I.R is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. Although the petitioner is named in the F.I.R but the victim has not stated any kind of sexual assault against the petitioner in her statement recorded under Section 183 of B.N.S.S. He further submits that the co-accused person, namely, Akash Chaudhary @ Ganesh Chaudhary has committed rape upon him. Apart from the aforesaid, the date of occurrence is 07.05.2025 but the present F.I.R has been instituted on 11.05.2025. He further submits that the police after investigation submitted the charge sheet against the petitioner. The petitioner is in custody since 01.07.2025.

5. Learned counsel for the informant as well as learned Additional Public Prosecutor have vehemently opposed the prayer for bail of the petitioner and submits that the petitioner



has participated in the present crime in question along with other accused person.

6. Considering the aforesaid facts and circumstances, 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 the learned Special Judge, POCSO, Buxar in connection with POCSO Case No. 82 of 2025 arising out of Buxar SC/ST Case No. 14 of 2025, subject to 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 absence on two consecutive dates without sufficient reason, his 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)

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