

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82204 of 2025

Arising Out of PS. Case No.-372 Year-2025 Thana- GHOSI District- Jehanabad

Shani Kumar @ Sani Kumar S/o Nagima Paswan @ Nagina Paswan R/o
Village - Gorsar, P.S - Ghosi, District - Jehanabad

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. XXX W/o Raj Kumar Ram R/o Village - Garsar, P.S - Ghosi, District - Jehanabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arvind Prasad Singh, Advocate
For the Informant	:	Mr. Amrendra Kumar Singh, Advocate
For the State	:	Mr. Shailendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 31-01-2026 Heard Mr. Arvind Prasad Singh, learned counsel for the petitioner, Mr. Amrendra Kumar Singh, learned counsel for the Informant and Mr. Shailendra Kumar Singh, learned APP for the State.

2. Petitioner seeks bail, who is in custody since 20.07.2025, in connection with Ghosi P.S. Case No. 69 of 2025, F.I.R. dated 18.07.2025 registered for the offences punishable under Sections 64(A), 87 of the B.N.S, 2023 and Section 04 & 08 of the POCSO Act.

3. Allegation against the petitioner is that he along with other co-accused persons have kidnapped the victim girl.

4. Learned counsel for the petitioner submits that the



petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that 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. He further submits that the victim was recovered and her statement was recorded under Section 183 of the B.N.S.S., 2023 in which she has not supported the case of the prosecution and apart from aforesaid she has also refused for her medical examination and the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 20.07.2025.

5. Learned counsel for the Informant as well as learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the facts and circumstances of the case and the fact that the petitioner having clean antecedent and victim has not supported the case of the prosecution in her statement recorded under Section 183 of the B.N.S.S., 2023 and she has also refused for her medical examination, let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned District &



Additional Sessions Judge-VI cum Special Judge (POCSO),
Jehanabad in connection with Ghosi P.S. Case No. 69 of 2025,
subject to the following conditions :-

(1) 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.

(2) If the petitioner tampers with the evidence or the witness, in that case, the prosecution will be at liberty to move for cancellation of bail.

(3) 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 antecedents, 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.

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(Rajesh Kumar Verma, J)

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