

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.81202 of 2025**

Arising Out of PS. Case No.-367 Year-2025 Thana- DARIYAPUR District- Saran

Sandesh Kumar Ram @ Sandesh Kr. S/o Sujan Ram R/o Village- Mastichak,  
P.S.- Dariyapur, Distt.- Saran at Chapra

... .. Petitioner/s

Versus

1. The State of Bihar
2. [REDACTED] R/o Village- Mastichak, P.S.-  
Dariyapur, Distt.- Saran at Chapra

... .. Opposite Party/s

**Appearance :**

|                      |   |                              |
|----------------------|---|------------------------------|
| For the Petitioner/s | : | Mr. Vijay Kumar              |
| For the State        | : | Mr. Sanjay Kumar Pandey, APP |
| For the Informant    | : | Mr. Nalin Kumar, Advocate    |

**CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY**  
**ORAL ORDER**

3      27-01-2026                      Heard learned counsel for the petitioner, learned APP  
for the State and learned counsel for the informant.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under section 64 of B.N.S. and Section 4 of the POCSO Act.

3. The case of the prosecution is that the minor daughter of the informant has gone to ease herself. It is alleged that the petitioner has established physical relationship forcefully with her. On 26.06.2025 when the victim felt pain in her stomach and private parts then disclosed it to the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. Learned



counsel for the petitioner has submitted that the occurrence is of 17.06.2025 whereas the case has been filed on 26.06.2025. During course of investigation, the victim has given her statement under Section 183 of B.N.S.S. wherein she has stated that when she was going to fetch water at hand pump, this petitioner arrived in influence of intoxication started opening her pant. On this, she pushed him due to which he fell down and received head injury. Learned counsel has further submitted that from perusal of the medical examination report also, doctor has recorded that there is no evidence of recent sexual assault at the time of examination and has found no mark of injury. The victim has not supported the case of the prosecution under Section 183 of B.N.S.S. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 21.06.2025.

5. Learned APP appearing for the State and learned counsel for the informant are present. Learned counsel for the informant has conceded the argument of the learned counsel for the petitioner.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is



inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on bail in connection with Dariyapur P.S. Case No. 367 of 2025 on furnishing bail bond of Rs.10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of learned Exclusive Special Additional Sessions Judge (POCSO) Saran at Chapra.

**(Ashok Kumar Pandey, J)**

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