

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83762 of 2025

Arising Out of PS. Case No.-25 Year-2024 Thana- MAHILA P.S. District- Banka

Sintu Rai Son of Nandkishor Ray Resident of Village- Hathiya Pathr, P.S.- Fullidumar, District- Banka

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. XXX D/o Vishundeo Ray Resident of Village- Khirikol, P.S.- Fullidumar, District- Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Mukherjee, Advocate
For the Opposite Party/s : Mr. Ashok Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 09-02-2026 Heard Mr. Ajay Mukherjee, learned counsel for the petitioner and Mr. Ashok Kumar Singh, learned APP for the State.

2. The petitioner has prayed for bail in connection with Banka Mahila P.S. Case No. 25 of 2024 registered for the offence punishable under Sections 366(a), 376, 506, 323/34 of the Indian Penal Code and Section 4 of the POCSO Act.

3. The case of the prosecution in short is that one Pritam Kumar @ Sonu Kumar and the petitioner took the informant on a bike. It is further alleged that Pritam Kumar @ Sonu Kumar offered cold drink and after consuming the same, the informant got unconscious. She was taken to Bhagalpur



Railway Station and from there she was taken to Vijaynagar in the district of Vardhaman. It is further alleged that Pritam Kumar @ Sonu Kumar along with others forcefully solemnized the marriage of the informant.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. He also submits that from perusal of the FIR, it is clear that the main thrust of allegation is against Pritam Kumar @ Sonu Kumar, who has forcefully solemnized marriage with the informant/victim of this case, and due to that relationship, she is pregnant. During the course of investigation, the victim has given her statement recorded under Section 183 of the BNSS wherein she has reiterated the facts of the F.I.R., and according to that statement also, the role of this petitioner is that he, along with Pritam Kumar @ Sonu Kumar have taken her to Bhagalpur on a bike. He also submits that save and except for this role, there is no allegation against the petitioner. He further submits that the co-accused, namely, Sudhu Ray @ Suddu Rai, has already been granted bail by this court vide Cr. Misc. No. 58339 of 2025. He further submits that a statement has been made in para 3 of the petition that petitioner has no criminal



antecedent and he is languishing in judicial custody since 18.06.2025.

5. The application for bail is opposed by learned APP for the State.

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 enlarged on bail on furnishing bail bond of Rs. 10,000/- (Rs. ten thousand only) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge-VI-cum-Special Judge POCSO, Banka in connection with Banka Mahila P.S. Case No. 25 of 2024.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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