

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82594 of 2025

Arising Out of PS. Case No.-28 Year-2024 Thana- Lalmatia District- Bhagalpur

Aryan Kumar @ Azad @ Md. Azad, aged about 37 years, Male Son of Late Md. Wahid, resident of village- Bhirkanpur Gumti No- 3 near Raju Lohar P.S.- Ishakchak District- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXXXXX, Resident of Village- Chhajjupur P.S.- Lalmathiya District- Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sumit Kumar, Advocate

For the Opposite Party/s : Mr. Brajendra Nath Pandey, APP

CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND MALVIYA
ORAL ORDER

4 21-01-2026 Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with POCSO Case No. 126 of 2024 arising out of Lalmatiya P.S. Case No.28 of 2024 instituted for the offences punishable under Sections 376, 420 and 506 of the Indian Penal Code and Section 4 of the POCSO Act.

3. As per allegation in the FIR, petitioner on the pretext of providing job to the daughter of the informant has established physical relationship with her revealing his wrong identity as Aryan instead of Md. Azad and threatened her not to say anyone about this fact.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has committed no offence and has falsely been implicated in this case. He next submits that all the allegation against the petitioner is general and omnibus. Petitioner has got clean antecedent as stated in Paragraph No.- 3 of the petition and he is in custody since 02.06.2024.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the religion of minor victim girl is 'Hindu' whereas petitioner is a 'Muslim' and in this case, petitioner has falsely represented himself as a 'Hindu Man' and his real name is 'Md. Azad'. In pretext of giving her job, he established physical relationship with the victim girl. So this case clearly falls within the ambit of 'Love Jihad' which is a serious nature of offence and dangerous to our society as a whole. It is admitted fact that the petitioner is already married, having two wives which is evident from the statement of the victim girl recorded under Section 164 of Cr.P.C. In these circumstances, petitioner shall not be granted bail.

6. From perusal of the FIR, case diary, statement of the victim recorded under Section 164 of the Cr.P.C. and also by perusal of the impugned order dated 31.08.2024 passed by the learned Exclusive Special Judge (POCSO)-cum-Additional District and Sessions Judge-VI Bhagalpur, it appears that the



petitioner established physical relationship with the victim girl (Hindu Minor Girl) several times on the pretext of providing job to her and threatened her not to say anyone about this fact, or else she has to face serious consequences. Moreover, it seems that petitioner has concealed his fake identity before the victim girl i.e., his real name is 'Md. Azad' but he allured the victim girl revealing his identity as 'Aryan'. It also appears that petitioner had made videographs and took photos of all the intimate moments between them. Moreover, petitioner use to blackmail her and threatened her that he will viral all the videos as well as photographs of the intimate moments on the Social Media which will be drastic to the victim minor in future. The victim has also stated in her statement before the learned Magistrate in which the victim girl has fully supported the version/story as mentioned in the FIR. It appears from the materials available on the record that this type of shameful acts committed by the petitioner is not at all tolerable and this type of ill-minded people are dangerous to our society. So, at any circumstances, petitioner does not deserves bail.

7. Considering the facts and circumstances of the case and submissions of learned counsel for the petitioner as well as gravity of serious nature of offence, this Court is not inclined to



enlarge the petitioner on bail.

8. Accordingly the prayer for regular bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

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