

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86041 of 2025

Arising Out of PS. Case No.-667 Year-2025 Thana- HAJIPUR SADAR District- Vaishali

Abhishek Kumar S/O Munna Singh Resident Of Village- Bajitpur, Ps-
Kajipur, (Hajipur Sadar), Dist.- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. XX W/O YY Resident Of Village- Bajitpur, P.O.- Sarai, P.s.- Kajipur, Dist.-
Vaishali

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Shivjee Singh, Adv.
For the Opposite Party/s	:	Mr.Nawal Kishore Prasad, APP
For the Informant	:	Mr. Santosh Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE SHAILENDRA SINGH
ORAL ORDER

2 09-01-2026 Heard Mr. Shivjee Singh, learned counsel for the
petitioner, Mr. Nawal Kishore Prasad, learned APP for the State
and Mr. Santosh Kumar, learned counsel for the informant.

2. Petitioner seeks regular bail in connection with
Hajipur Sadar P.S. Case No. 667/ 2025 dated 20.08.2025
registered for the offence(s) punishable under Sections 137(2),
96 and 3(5) of the BNS in which after investigation charge sheet
has been submitted under sections 137(2), 96 and 64(1) of the
BNS and section 4 of the POCSO Act.

3. The main submissions advanced by the petitioner's
counsel are that the petitioner has been languishing in jail since
10.09.2025 and he bears no criminal antecedent and the victim



herself returned back and denied the prosecution's allegation and a copy of her statement recorded under section 183 of the BNSS has been filed with this petition (Annexure- P-2).

4. The learned APP appearing for the State does not oppose the bail prayer of the petitioner and accepts that the victim has not supported the prosecution's allegation in her statement before the Judicial Magistrate.

5. Learned counsel for the informant has opposed the bail prayer of the petitioner and submits that the concerned police official intentionally did not lodge the FIR under the POCSO Act as the victim is below 18 years of age and there is serious allegation against the petitioner.

6. In the facts and circumstances of this case and considering the aforesaid submissions advanced by the petitioner's counsel as well as averments made in this petition coupled with the victim's statement made before the Judicial Magistrate in which she did not support the prosecution's allegation as well as the petitioner's custody period and completion of the investigation against him, this court is inclined to release the petitioner on bail. Accordingly, let the petitioner named-above be released on bail in connection with Hajipur Sadar P.S. Case No. 667/ 2025 on furnishing bail bond



of Rs. 20,000/- (Rupees Twenty Thousand) with two sureties of
the like amount each to the satisfaction of the Court concerned.

(Shailendra Singh, J)

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