

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.82368 of 2025**

Arising Out of PS. Case No.-19 Year-2025 Thana- ANTI District- Gaya

Kanchan Yadav Son of Mr. Ram Naresh Yadav Resident Of Village- Netupur  
P.s- Belaganj District -Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Md. Jafruddin Hajam son of Late Md. Islam Hajam Resident Of Village-  
Aanti, Ps- Aanti, Dist- Gaya

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Ajay Kumar Thakur, Advocate  
For the State : Mr. Tarun Prasad Mandal, APP

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

4      31-01-2026                      Heard Mr. Ajay Kumar Thakur, learned counsel for  
  
the petitioner and Mr. Tarun Prasad Mandal, learned APP for the  
  
State.

2. Petitioner seeks bail, who is in custody since  
19.07.2025, in connection with Aanti P.S. Case No. 19 of 2025,  
F.I.R. dated 19.01.2025 registered for the offences punishable  
under Sections 137(2), 140(3) of the B.N.S, 2023 but the police  
has submitted chargesheet under Sections 137(2), 140(3), 64,  
3(5) of the B.N.S, 2023 and Section 4/6 of the POCSO Act.

3. Allegation against the petitioner is that he took the  
victim to Prayagraj and left her at the Aashram of co-accused  
Shital Das where victim was raped at many times at different



places.

4. Learned counsel for the petitioner submits that the petitioner is innocent 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 petitioner is not named in the F.I.R. and the name of the petitioner has been transpired during investigation and later on 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 she has not stated anything about the petitioner and the name of the petitioner has been transpired only on the basis of mobile which was used in the present case belonged to the petitioner. He further submits that the police after investigation submitted chargesheet against the petitioner and the petitioner is in custody since 19.07.2025.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner and submits that the name of the petitioner has been transpired during investigation that he has participated in the present crime in question and apart from that the petitioner carries carries



three more cases other than the present one but fairly submits on the basis of paragraph-3 of the bail petition that the petitioner is on bail in the pending matters.

6. Considering the facts and circumstances of the case, 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 Exclusive Special Judge POCSO cum Additional Sessions Judge-VII, Gaya Ji in connection with Aanti P.S. Case No. 19 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.

(Rajesh Kumar Verma, J)

Ibrar//-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

