

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84768 of 2025

Arising Out of PS. Case No.-73 Year-2025 Thana- MAHILA P.S. District- Nalanda

Rohit Kumar S/o Paramanand Prasad @ Paramanand Raut R/o Village -
Khauna, P.S - Hulasganj, District - Jehanabad

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Mano Devi W/o Ajit Mandal @ Ajit Prasad R/o Village - Daruara, P.S -
Noorsarai, District - Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shraddhanand Paswan, Adv.

For the Opposite Party/s : Mr.Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

2 05-01-2026 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner seeks bail in connection with
POCSO Case No. 87 of 2025 arising out of Nalanda Mahila P.S.
Case No. 73 of 2025 dated 19.05.2025 registered for the
offences punishable under Sections 65(1), 115(2), 126(2),
351(1), 352 and 3(5) of the B.N.S.

3. As per the prosecution case, the informant has
alleged that her minor daughter was enticed by the petitioner on
the pretext of marriage and he made physical relationship with
her. It is further alleged that the informant had seen her daughter
with the petitioner in objectionable condition and on protest, she



was also abused and threatened.

4. Learned counsel for the petitioner submits that the present case is false and concocted one and it is a case of love affair and subsequent to the said incident, the petitioner has married the victim (daughter of the informant). It has also been orally submitted that the victim girl is in family way and is pregnant. It has further been submitted that the petitioner has solemnized marriage with the victim. It has next been submitted that the affidavit of the present bail application has been sworn by the informant herself, who is the mother of the victim. It is lastly submitted that the petitioner has clean antecedent and he is in custody since 23.10.2025.

5. Learned A.P.P. has vehemently opposed the prayer for bail of the petitioner and submitted that admittedly the victim is a minor and subsequent marriage would not suffice for the act committed by the petitioner.

6. Considering the facts and circumstances of the case, the petitioner is directed to be released on bail on his furnishing bail bonds in the sum of Rs. 10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-IV-cum-Exclusive Special Judge (POCSO), Bihar Sharif in connection with POCSO Case



No. 87 of 2025 arising out of Nalanda Mahila P.S. Case No. 73 of 2025 subject to the following terms and conditions :-

(i) One of the bailors will be a close relative of the petitioner.

(ii) The petitioner shall remain physically present before the concerned Court on each and every date of the trial and shall cooperate in the investigation.

(iii) In case of absence on two consecutive dates or in violation of the terms of the bail, the bail bond of the petitioner will liable to be cancelled by the Court concerned.

(iv) The trial court 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 trial court shall take necessary steps for cancellation of bail bond of the petitioner. However, the acceptance of bail bond in terms of the above mentioned order shall not be delayed for purpose of or in the name of verification.

(v) Prior to accepting the bail bond, the learned trial court shall call upon the victim girl and shall verify the fact whether she is pregnant and is staying with the family of the petitioner and if the same is not found to be correct, the bail bond of the petitioner shall not be accepted.



7. It is made clear that the observations, if any, made in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

Gautam/-

U		T	
---	--	---	--

