

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85410 of 2025

Arising out of PS. Case No.-241 Year-2025 Thana- AKHODHIGOLA District- Rohtas

Chhotan Kumar Son of Lakshman Sah R/o Village- Gangauli, P.S.-
Dalmianagar, Distt.- Rohtas

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. XXX S/o Late YYY R/o Village - Tenua Kala, P.S - Akorhigola, District -
Rohtas

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Gopal Krishna Nishant, Advocate
For the Opposite Party/s : Mr. Nitya Nand Tiwary, APP

CORAM: HONOURABLE MR. JUSTICE ANSUL
ORAL ORDER

5 07-05-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. The petitioner seeks bail in Akorhigola P.S. Case
No. 241 of 2025 registered for the offences punishable under
Sections 137(2) and 96 of BNS, 2023 and Section 8 of POCSO
Act.

3. The allegation is of having established physical
relationship on the assurance of marriage with the victim.

4. Learned counsel for the petitioner submits that the
girl was aged about 17 years and later on she was found to be of
28 years of age. He further submits that both are adults and their
relationship is of consensual nature. It is also submitted that the



petitioner is in custody since 15.07.2025 and has no criminal antecedent.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the consensual nature of relationship between two adults, this Court is inclined to grant bail to the petitioner.

7. Let the petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (Ten thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-12th, Rohtas at Sasaram in connection with Akorhigola P.S. Case No. 241 of 2025, subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure / Section 482(2) of the Bhartiya Nagarik Suraksha Sanhita.

8. It is made clear that any observation made herein is *prima facie* in nature and limited solely for the purpose of adjudication of the present bail application. Such observations shall not be construed as an expression on the merits of the case and shall not



influence the trial or any other proceedings in any manner.

(Ansul, J)

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