

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.85871 of 2025

Arising Out of PS. Case No.-780 Year-2025 Thana- SIKARPUR District- West Champaran

Hasmuddin Miyan S/o- Ainul Miyan @ Enul Miya Resident of Vill-
Bahuarwa Khurd, P.S.- Sikarpur, Dist- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mr. X S/o- Late Nagina Yadav Resident of Vill- Bahuarwa Khurd, W.No- 10,
P.S.- Sikarpur, Dist- West Champaran

... .. Opposite Party/s

Appearance :

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

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 23-03-2026 Despite of valid service of notice, no one appears on
behalf of opposite party No.2.

2. Heard Mr.Sanjeev Kumar, learned counsel for the
petitioner and Mr.Kumar Veerendra Narayan, learned
Additional Public Prosecutor for the State.

3. The petitioner seeks bail, who is in custody since
31.07.2025 in connection with Sikarpur P.S. Case No. 780 of
2025, F.I.R. dated 29.07.2025 registered for the offence
punishable under Sections 127(2),76, 140(3),62,351(2), of
BNS,2023 and Section 8 of POCSO Act.

4. Allegation against the petitioner is that he did the
wrong act by catching the hands of the victim with intent to take



them to some other place.

5. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. Further submits that the statement of the victims was recorded under Section 183 of BNSS, 2023 in which they have not supported the case of the prosecution and the police, after investigation, submitted the chargesheet against the petitioner and the petitioner is in custody since 31.07.2025.

6. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

7. Considering the aforesaid facts and petitioner has clean antecedent, 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 learned District & Additional Sessions Judge 7th -cum-Special Judge, POCSO, Bettiah West Champaran in connection with Sikarpur P.S. Case No. 780 of 2025, with the following conditions:-

(I) 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/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) 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 antecedent, 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)

Nitesh/-

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