

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88517 of 2025

Arising Out of PS. Case No.-62 Year-2025 Thana- MAHILA PS District- Buxar

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Dharmendra Kumar Yadav Son of Shuvji Singh @ Shivji Yadav Singh
Resident of Village- Hakimpur, P.S.- Itarhi in the district of Buxar

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. X D/o Sanjay Ram Resident of Village- Ora, P.S.- Rajpur in the district of Buxar

... .. Opposite Party/s

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Appearance :

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

For the Opposite Party/s : Mr. Usha Kumari 1, APP

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CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

4 03-04-2026 Heard learned counsel for the petitioner and learned

A.P.P for the State. Although the notice has been validly served

upon O.P. No. 2, there is no representation on his behalf.

2. The petitioner has preferred this application for
grant of regular bail in connection with Buxar Mahila P.S. Case
No. 62 of 2025 registered for the offences punishable under
Sections 115(2), 126(2), 64(2), 352, 351(2) and 3(5) of the
B.N.S., Sections 4, 8 of the POCSO Act and Sections 3(1),(r),
(s), 3(2)(va) of the SC/ST Act.

3. As per the prosecution case, the victim alleged that
she had an account in the State Bank of India and used to
withdraw money from the Banking Service Centre operated by



the State Bank of India, which was managed by the petitioner. In October 2023, the petitioner obtained the informant's mobile number from her passbook and Aadhar Card, began communicating with her, and offered certain inducements. Since she was a minor, approximately 16 years old at the time, the petitioner established a physical relationship with the informant under the pretext of marriage. When the informant requested him to marry her, the petitioner used to say that she was not yet an adult and assured her whenever she becomes adult, he would marry her and, thereafter, sexually exploited her for another two years. After much pressure, the petitioner married the informant (victim) in 2024, after which she willingly entered into a physical relationship with him. When the petitioner's family became aware of the relationship, they refused to give their consent because the informant belonged to a Scheduled Caste community.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. It has further been submitted that no such occurrence as alleged has ever taken place. It has further been submitted that the statement of the victim girl was recorded under Section 183 of B.N.S.S., wherein she has clearly stated that although



there was initially a false pretext of marriage, she married with the petitioner in the year 2024 after she became an adult and was well able to understand the circumstances. The victim does not want to reside with this petitioner anymore and hence this false allegation has been levelled. Referring to the medical report, the learned counsel for the petitioner has submitted that the victim's age was assessed to be 20–21 years by the medical board on 11.10.2025, therefore, it is clear that when the petitioner married the victim, she was a major. Even at the time of the initial alleged occurrence in 2022, she was either major or on the verge of the majority. It has also been submitted that the investigation has been concluded in this case followed by the submission of the charge sheet and there is no allegation of tampering with evidence against the petitioner. Lastly, It has been submitted that the petitioner has clean criminal antecedent and is in custody since 17.10.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid submissions of the parties and taking into account the facts and circumstances of the case, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand)



with two sureties of the like amount each to the satisfaction of
learned Court concerned, Buxar, in connection with Buxar
Mahila P.S. Case No. 62 of 2025.

7. The application stands allowed.

(Praveen Kumar, J)

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