

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.281 of 2026

Arising Out of PS. Case No.-166 Year-2020 Thana- BOCHAHAN District- Muzaffarpur

Chandan Sahani @ Chandan Kumar Son of Raj Kumar Sahani Resident Of
Village- Mishroliya, Kamle Baliya Bhushahi, Ps- Bochaha, Dist- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. X son of Late Chanrdhan Ray Resident Of Village- Kamle Buliya Bhushahi,
Ps- Bochahan, Dist- Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mirtyunjay Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 07-01-2026 Heard Mr. Mirtyunjay Kumar Mishra, learned
counsel for the petitioner as well as Mr. Shantanu Kumar,
learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
28.01.2023 in connection with Bochahan P.S. Case No. 166 of
2020, F.I.R. dated 04.07.2020 for the offences punishable under
Sections 363, 366(A) and 34 of the Indian Penal Code and later
on Section 4/6 of the POCSO Act was added.

3. Earlier the bail application of the petitioner was
rejected vide order dated 28.08.2023 in Cr. Misc. No. 44215 of
2023.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the trial has begun and victim has been examined and she has stated that the her father has filed false case against the petitioner and apart from that the father of the victim was also examined and he has also stated that he has filed the false case against the petitioner.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances and the fact that the 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 the learned Exclusive Special Court POCSO-III, Muzaffarpur in connection with Bochahan P.S. Case No. 166 of 2020, subject to 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 absence on two consecutive dates without sufficient reason, his 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)

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