

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91761 of 2025

Arising Out of PS. Case No.-26 Year-2025 Thana- MAHILA PS District- Aurangabad

Raju Kumar, S/O Suresh Singh @ Suresh Ram, Resident of Village and P.O-
Koil Bhupat, P.S- Mehandia, District- Arwal.

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXX, D/O Omprakash Kumar, R/O Village- Pema, P.S- Goh, District-
Aurangabad, Pin- 824129.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Ashutosh Singh, Advocate Mr. Dharendra Kumar, Advocate
For the State	:	Mr. Arun Kumar Singh, APP
For the O.P. No. 2	:	Mr. Suraj Narain Yadav, Advocate Ms. Saumya, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 01-04-2026 Heard learned counsel for the petitioner, learned
A.P.P. for the State and learned counsel for the opposite party
no.2.

2. The petitioner has preferred this application for
grant of regular bail in connection with Mahila P.S. Case no.26
of 2025 (POCSO G.R. no.50 of 2025), registered under sections
126(2), 331(2), 74, 75, 76, 351(2), 351(3), 352 and 3(5) of the
Bharatiya Nyaya Sanhita, 2023 and sections 8 and 12 of the
POCSO Act.

3. As per the prosecution case, the informant states
that the petitioner giving her wrong impression took her mobile



phone number and she started to interact with him. It is further stated that in the night of 22.2.2025 when she was with her younger sister in her home, the petitioner entered and tried to kiss her and molested her. Thereafter he escaped. On her grandmother returning from *Kumbh Mela* on 23.2.2025, it is stated she narrated about the occurrence to her grandmother who went and complained to the family of the petitioner who started to abuse her. Thereafter she reported the matter to her father, however taking into consideration the respect of the family, no report was filed. The informant further states that the petitioner is threatening to make her private photos viral and threatening to kill her.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. The informant is a major and the relationship between the parties was consensual as would be evident from the contents of the F.I.R. itself. It is further submitted that while the allegations levelled in the F.I.R. are categorically denied, the same are said to have taken place on 22.2.2025, however the matter came to be reported to the police and the F.I.R. registered only on 19.4.2025 without any reasonable explanation for the delay. It is lastly submitted that the written statement has been filed in a neatly typed copy.



With respect to allegation of the petitioner having absconded from custody, learned counsel for the petitioner submits that the petitioner did not abscond and the petitioner is already on bail in the said case. The petitioner is in custody since 20.10.2025, he is 21 years old and undertakes to cooperate in the investigation/trial.

5. The application for bail is opposed by learned A.P.P. for the State and learned counsel for the opposite party no.2. It is submitted by learned counsel for the opposite party no.2 that there is direct allegation of molestation against the petitioner and the petitioner threatened to make her photos viral. Her sister is a witness to the occurrence. It is further submitted that the petitioner had absconded from custody.

6. Having heard learned counsel for the parties and taking into consideration the nature of allegations in the F.I.R., the informant stating about being on friendly terms with the petitioner and especially the delay of about 2 months in lodging of the F.I.R. together with the petitioner having remained in custody for 5 months since 20.10.2025 and charge-sheet having been submitted in the case, the petitioner is directed to be enlarged on bail in connection with Mahila P.S. Case no.26 of 2025 (POCSO G.R. no.50 of 2025), on furnishing bail bond of



Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned Additional Sessions Judge VI -cum- Special Exclusive Judge (POCSO), Civil Court Aurangabad.

(Partha Sarthy, J)

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