

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91606 of 2025

Arising Out of PS. Case No.-135 Year-2025 Thana- SARAI District- Vaishali

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Amit Kumar @ Chaman Kumar S/O Rakesh Kaparia Resident Of Village-
Akbar Malahi, P.S- Sarai, Distt.- Vaishali.

... .. Petitioner

Versus

1. The State of Bihar
2. XXX W/O YYY R/O Village- Akbar Malahi, P.S- Sarai, Distt.- Vaishali.

... .. Opposite Parties

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Appearance :

For the Petitioner : Mr. Shivjee Singh, Advocate
For the Opposite Party/s : Mr.Uday Chand Prasad, APP

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CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

3 19-03-2026 Heard learned counsel for the petitioner and learned

A.P.P. for the State. Even after valid service of notice upon
informant-opposite party No.2, the informant has not chosen to
appear before this Court.

2. The petitioner seeks bail in connection with Sarai
P.S. Case No. 135 of 2025, registered for the offence under
Sections 65(2)/62 of the Bhartiya Nayay Sanhita and Sections 8,
11, 12, 16 and 17 of the POCSO Act.

3. As per the prosecution case, the daughter of the
informant, aged about 11 years, had gone to the nearby field to
attend the call of nature, after sometime, the informant heard her
cries, the informant went there and found that this petitioner was
holding her daughter from behind and upon seeing the
informant he fled away.



4. Learned counsel appearing for the petitioner submits that the petitioner has been falsely implicated in this case and drawn the attention of this Court to 183 BNS statement of the victim girl in which although she has stated that this petitioner caught hold her by her waist from behind and told her to go towards Bhawani Bharti School and he would be giving her money and not to tell this fact to anyone, but subsequently he left that place. Hence, the statement of the informant that this petitioner was catching hold the victim from behind and after seeing her, the petitioner fled away gets falsified. It is further submitted that the statements are self-contradictory and not fit to be relied upon. The petitioner is in custody since 06.05.2025 having no criminal antecedents.

5. Learned A.P.P. for the State vehemently opposed the prayer for bail of the petitioner and submitted that there are serious allegations against the petitioner and the victim at the nick of time was saved from untoward occurrence.

6. Considering the facts and circumstances of the case, the statement of the victim under Section 183 BNS and the period of custody, let the, above named, petitioner 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 and Additional Sessions Judge-VIII-cum-Special Judge, POCSO, Vaishali at Hajipur, in connection with Sarai P.S. Case No. 135 of 2025.

(Praveen Kumar, J)

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