

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.92035 of 2025

Arising Out of PS. Case No.-82 Year-2025 Thana- MAHILA P.S. District- Bhojpur

Sandeep Kumar @ Sanjeep Kumar Raut @ Sandeep Kumar Raut S/O
Shamsher Bahadur Bari R/O Vill.- Kesath, P.s.- Nawanagar, Dist.- Buxar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. [REDACTED] R/O Vill.- Dev, P.S.- Sikarhatta, Dist.- Bhojpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ram Prawesh Kumar, Advocate
For the State	:	Mr.Mohammed Arif, APP
For the O.P. No. 2	:	Mr. Uday Kumar, Advocate

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

3 23-02-2026 Heard the learned counsel for the parties.

2. Petitioner apprehends his arrest in connection with Mahila P.S. Case No. 82 of 2025 registered for the offences under Sections 126(2), 115(2), 352, 352(2), 64 and 3(5) of the B.N.S. and under Section 6 of the POCSO Act.

3. As per the prosecution case, the allegation against the petitioner is that he had helped the victim to board the bus at Bihiya to catch a train at Mugalsarai, who is said to have been enticed by the accused Ravi Kumar.

4. Learned counsel for the petitioner submits that from bare perusal of the F.I.R, there is no specific allegation levelled against the petitioner and the only statement which has been given is that he had helped her board a bus at Bihiya. It has



further been submitted that the petitioner has no concern whatsoever with the elopement of the victim with the co-accused, namely, Ravi Kumar and from the medical examination report, it would appear that the victim is 19 to 21 years old and therefore no case under the POCSO Act is made out. It has next been submitted that the victim has also not stated anything against the petitioner who has clean antecedent.

5. Learned counsel for the O.P. No. 2 as well as the learned APP for the State have vehemently opposed the prayer for anticipatory bail and have submitted that the petitioner was involved with the co-accused in enticing away the victim girl.

6. Considering the aforesaid submission and taking into account the fact that there is no specific allegation against the petitioner, let the petitioner above named be released on anticipatory bail, in the event of arrest or surrender before the learned Court below within a period of four weeks from today, on furnishing bail bonds of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned Court below where the case is pending/successor court in connection with Mahila P.S. Case No. 82 of 2025 subject to the conditions as laid down under Section 438(2) of the Code of Criminal Procedure read with corresponding Section 482(2) of



B.N.S.S. as well as subject to the following conditions:-

- (i) One of the bailors of the petitioner shall be his close relative.
- (ii) The petitioner shall remain physically present in Court on each date of the trial.
- (iii) In case of absence on two consecutive dates, or in violation of the terms of the bail, the bail bond of the petitioner will be liable to be cancelled by the Court concerned.
- (iv) If the petitioner is found involved in similar nature of offence in future, the prosecution shall be at liberty to move for cancellation of his bail bond.
- (v) The learned 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.

7. Accordingly, the prayer for anticipatory bail is



allowed.

8. It is made clear that the observations, if any, made
in this order, shall be of no bearing during the trial.

(Sourendra Pandey, J)

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