

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3174 of 2026

Arising Out of PS. Case No.-170 Year-2025 Thana- MITHANPURA District- Muzaffarpur

Niranjan Kumar S/o Raju Paswan Resident of - Sahdullapur, Near - DAV
Public School Malighat, P.S - Ahiyapur, District - Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kajal Kumari D/o Dilip Rajak Resident of - Aamgola Khajurbanni, P.S -
Kaji Mohammadpur, District - Muzaffarpur Presently R/o - Chakwara, Near
- Masjid, P.S - Mithanpura, District - Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Masoom Alam, Advocate
For the Opposite Party/s :	Mr. Pawan Kumar Chaurasia, APP
For the O.P. No.2 :	Mr. Prashant Kumar, Advocate
:	Mr. Dineshwar Pandey, Advocate
:	Mr. Shivam Anand, Advocate
:	Ms. Nandani Kumari, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 09-04-2026

Heard Mr. Masoom Alam, learned counsel for the

petitioner, Mr. Pawan Kumar Chaurasia, learned Additional Public
Prosecutor for the State as well as Mr. Prashant Kumar, learned
counsel for the Opposite Party No.2.

2. Petitioner seeks bail who is in custody since
13.09.2025 in connection with Mithanpura P.S. Case No. 170 of
2025, F.I.R. dated 11.07.2025 for the offences punishable under
Sections 140(3), 142, 69, 61(2) of the Bharatiya Nyay Sanhita,
2023 and Section 4, 8, 12 of the POCSO Act and Section 66C, 66D
of I.T Act.

3. According to prosecution case, the informant alleged
that the petitioner and his family members enticed and took away



her niece with intention of grabbing her land and property, and in case of refusal, her niece might be subjected to physical exploitation or immoral activities.

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 allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. The statement of the victim was recorded under Section 183 BNSS in which she did not support the case of the prosecution apart from that it appears from the FIR that date of the occurrence was on 05.07.2025 but the FIR was lodge on 11.07.2025 i.e. after delay of about six days, after thought, only to falsely implicate the petitioner and the petitioner is in custody since 13.09.2025.

5. The learned Additional Public Prosecutor and learned counsel for the O.P. No.2 have vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts and circumstances, petitioner has clean antecedent and the victim did not support the case of the prosecution in her statement which was recorded under Section 183 BNSS, 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 Mithanpura P.S. Case No. 170 of 2025, 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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