IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38843 of 2026

Arising Out of PS. Case No.-309 Year-2022 Thana- RAJAPAKAR District- Vaishali

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1. Ravi Ranjan Kumar S/O Pramod Rai R/O Village- Baikunthpur, PS- Rajapakar, District- Vaishali, Bihar
2. Vikash Kumar S/O Pramod Rai R/V - Baikunthpur, P.S.- Rajapakar, Dist. - Vaishali

... ... Petitioner/s

Versus

1. The State of Bihar
2. XXX S/O YYY R/O Village and PO- Baikunthpur, PS- Rajapakar, District- Vaishali, Bihar

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Yugal Kishore, Adv.
Ms. Rupa Kumari, Adv.
For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR

ORAL ORDER

5 20-08-2026 Heard learned Advocate for the petitioners and learned Additional Public Prosecutor for the State.

2. The petitioners are apprehending their arrest in connection with Rajapakarar P.S. Case No. 309 of 2022, registered for the offences punishable under Sections 341, 323, 504, 506, 376 & 354(A) of IPC and 4/6 of the POCSO Act.

3. The written report leading to lodging of the FIR clearly depicts that the informant was subjected to misbehave and her modesty has been outraged at the hands of the accused persons including the petitioners, besides there is allegation of threatening and making some obscene photographs viral.

4. Learned Advocate for the petitioners submitted that

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besides there is delay in lodging of the FIR, the police after investigation, on being found no material suggesting the complicity of the petitioners have submitted final report and the petitioners have not even been sent up for trial. The aforesaid final form/report has been placed on record as Annexure P/2 to the bail application. Despite nothing has been found during the course of investigation, learned Advocate for the petitioner submitted, the learned jurisdictional Court differing with the final report took cognizance of the offences alleged in the FIR on 29.04.2024. Hence, the present application for pre-arrest bail. It is further argued that the petitioners are man of fair antecedent and they undertake that they will fully cooperate in the proceeding of the court.

5. On the other hand, learned Advocate for the State vehemently opposed the bail application and submits that the very serious allegation has been levelled against the petitioners of indulging in outraging the modesty of the informant and threatening her and others to make their photographs viral and thereby, blackmailing her.

6. Having considered the submissions advanced by the learned Advocates for the respective parties and taking note of the fact that the police, after investigation, has not found any

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material and, as such, they have not been sent-up for trial. However, differing with the final report, the learned jurisdictional Court has taken cognizance of the offences alleged in the FIR; besides the fair antecedent of the petitioners, let the petitioners above named be released on bail, in the event of their arrest or surrender before the court below within a period of four weeks from the date of receipt/production of a copy of this order, upon furnishing bail bonds of Rs.10,000/- (ten thousand) each with two sureties of the like amount each to the satisfaction of the learned District & Additional Sessions Judge-VI-cum POCSO Special Judge, Vaishali at Hajipur in connection with Rajapakarar P.S. Case No. 309 of 2022, subject to the conditions laid down in Section 482(2) of the Bharatiya Nagrik Suraksha Sanhita, 2023, with the further conditions:-

(i) one of the bailors shall be the own/close family members of the petitioners.

(ii) If the petitioners shall be found indulged in intimidating the informant/witnesses or threatening them, in such circumstances, the informant or the police officials shall be at liberty to file an application for cancellation of their bail.

(Harish Kumar, J)

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