

IN THE COURT OF DISTRICT & ADDITIONAL SESSIONS JUDGE - Ist NALANDA

Present:- Namita Singh, District & Addl. Sessions Judge - Ist Nalanda at Biharsharif.

B.P. No.- 668/26

(Arising out of Noorsarai P.S Case No.- 194 of 2026)

Shailesh Kumar V/s State of Bihar

<i>Date of order of proceeding</i>	<i>Order with the signature of the court</i>	<i>Office action taken with date</i>
<u>26.05.2026</u>	This regular Bail application has been filed on behalf of the petitioner namely (1) Shailesh Kumar, S/o Krishnakant Sharma, R/o Village – Ajaypur, P.S.- Noorsarai, Dist – Nalanda, who is in custody since 28.03.2026 in connection with Noorsarai P.S. Case No. 194/2026, registered u/s 74, 75, 76, 115(2), 126(2), 70(1), 62, 3(5) of BNS and u/s 67, 67(A) of I.T Act. Shri Sanjeev Kumar, learned counsel appearing on behalf of the petitioner, submitted that no bail application has previously been filed either before this learned Court or before the Hon'ble High Court. Learned counsel further submitted that the name of the petitioner has been implicated in the present case by the police solely on the basis of the video footage. It is further submitted that upon witnessing the altercation, the villagers had gathered at the place of occurrence and the petitioner has been falsely implicated in the present case. It is also submitted that the petitioner is absolutely innocent, has not committed any offence as alleged, and has been falsely implicated in the present case. Learned counsel further submitted that the petitioner has remained in custody since 28.03.2026 and has no criminal antecedent, as stated in paragraph no. 03 of the bail petition. Accordingly, learned counsel prayed for enlarging the petitioner on bail. Learned P.P. on the other hand has opposed the prayer for bail of petitioner. Having heard both sides and upon perusal of the case records, it appears that the present case was instituted on the basis of a written	

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<u>Contd.</u> <u>26.05.2026</u>	complaint submitted by the informant, Priyanka Kumari, wherein she has alleged that on 26.03.2026, between 6:00 P.M. and 7:00 P.M., she had gone to the shop of Ghanshyam Sao for purchasing ration articles. During that time, the accused persons, namely Ashok Yadav, Matlu Mahto, and Ravikant Kumar, allegedly caught hold of her with the intention to outrage her modesty and commit sexual assault. It is alleged that the accused persons threw her on the ground, whereupon accused Matlu Mahto caught hold of her chest and forcibly assaulted her, as a result of which her blouse got torn and she became half-naked. It is further alleged that accused Ravikant Kumar opened her petticoat and attempted to outrage her modesty, while accused Ashok Yadav was also accompanying and assisting them. Upon her raising alarm and hue and cry, villagers gathered at the place of occurrence, due to which she somehow managed to save herself and escape from the accused persons. The record reveals that, the petitioner's name does not appear in the primary information provided by the victim or even in her statement recorded in paragraph-2 of the Case Diary. The other injured victim namely Ghanshyam Kumar, whose statement has been recorded in paragraph-7 of the Case Diary, has also not named him. The Case Diary further reveals that his name has come up during investigation on the basis of statement of the witnesses in paras 42, 43 and 44 as being part of the enraged crowd that was abusing the victim woman and other injured and heckling them. No specific overt act of physical assault, molestation, or even recording the incident and propagating it, has been attributed to him. He is in custody since 28.03.2026 and has claimed to have clean antecedent. Taking note of the aforesaid facts alongwith circumstances available on record, I find it judicious to enlarge the petitioner namely 1. Shailesh Kumar on bail. Accordingly, he is directed to be released on bail, on	
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<u>Contd.</u> <u>26.05.2026</u>	furnishing bail bond of Rs.10,000/-(ten thousand) with two sureties of the like amount each to the satisfaction of the learned trial court on following conditions:- • The petitioner shall not contact, visit or communicate with the victim woman or her family members either directly or indirectly. • The petitioner shall not attempt to threaten, harass or induce any person acquainted with the facts of the case so as to dissuade them from disclosing such facts. Any breach of the above conditions or any report of intimidation verified by the police, shall result in cancellation of the bail. Let a copy of this order be transmitted to the learned court concerned forthwith. (Dictated & Corrected) Sd/- Addl. Sessions Judge-I Nalanda at Biharsharif Memo No. _____, Dated:- _____. Copy of order forwarded to the Court of Ld. CJM, Nalanda at Biharsharif for information and needful. Addl. Sessions Judge-I Nalanda at Biharsharif <table><tr><td>Date of Judgment/Order</td><td>26.05.2026</td></tr><tr><td>Date of Reserving Judgment/Order</td><td>-</td></tr><tr><td>Date of Uploading</td><td>27.05.2026</td></tr><tr><td>Uploaded by</td><td>Kumar Shivam</td></tr></table>	Date of Judgment/Order	26.05.2026	Date of Reserving Judgment/Order	-	Date of Uploading	27.05.2026	Uploaded by	Kumar Shivam
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