

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.752 of 2025

Arising Out of PS. Case No.-88 Year-2024 Thana- KRISHNAGARH District- Bhojpur

Bholu Miyan S/O Md. Anarash Miyan @ Anas Miya R/o Village- Gundi, P.S.
Krishna Garh, District-Bhojpur (Arrah)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kusum Devi W/O Om Prakash Vishwakarma R/o Village- Gundi, P.S.
Krishna Garh, District-Bhojpur (Arrah)

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Chandan Kumar Verma, Adv.
For the Opposite Party/s	:	Mr.S anjay Kumar Singh, APP
For the Informant	:	None

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 03-04-2025 Heard learned counsel for the petitioner and learned
APP for the State. No one appears on behalf of the O.P. No.2.
Perused the case diary.

2. The petitioner seeks bail in connection with Krishna
Garh P.S. Case No. 88 of 2024 instituted for the offences under
Sections 65(2), 351(2), 61(2), 191(2), 249(1) of the B.N.S. and
Section 4 & 6 of the POCSO Act.

3. As per prosecution case, the accusation against the
petitioner is of kidnapping and committing rape upon the minor
daughter of the Informant.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence as alleged against him and has falsely been implicated in the present case due to dirty village politics. There is no independent witness in this case rather the same are interested witnesses. The petitioner has no criminal antecedent and is languishing in judicial custody since 19.08.2024 without any rhyme or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. The victim girl is minor. Medical report supports the prosecution case. The victim girl, in her statement recorded under Section 183 of the B.N.S.S., has made specific allegation of rape against the petitioner. The Investigating Officer, after completion of investigation, has submitted charge-sheet under Sections 65(2), 351(2), 61(2), 191(2), 249(1) of the B.N.S. and Section 4 & 6 of the POCSO Act

6. Having heard learned counsel for the parties and considering the nature and gravity of the offence as also taking into account the statement of the victim girl recorded under Section 183 of the B.N.S.S., this Court is not inclined to grant bail to the petitioner.



7. Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to expedite the trial and conclude the same expeditiously.

(Rudra Prakash Mishra, J)

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