

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.6080 of 2025

Arising Out of PS. Case No.-130 Year-2024 Thana- RAMPUR HARI District- Muzaffarpur

Kamar Raza S/O Mahboob Sah Village- Ram Nagra, P.S.- Riga, Dist.-
Sitamarhi

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. X, R/O Vill.- Motahahan Fakirana, P.S.- Rampur Hari, Dist.- Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Arun Kumar, Advocate
For the Opposite Party/s	:	Mr. Shailendra Kumar, APP
For the Informant	:	None

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

ORAL ORDER

4 06-05-2025 Heard learned counsel for the petitioner and learned

APP for the State. None appears on behalf of the informant

despite notice being validly served. Perused the case diary.

2. The petitioner seeks bail in connection with Rampur
Hari P.S. Case No. 130 of 2024 instituted for the offences under
Sections 64, 351(2)&(3) of the BNS and Sections 4/6 of the
POCSO Act.

3. Allegation against the petitioner is of commission of
rape upon the victim girl.

4. Learned counsel for the petitioner submitted that the



petitioner is innocent and has falsely been implicated in the present case. Learned counsel further submitted that there is eye-witness to the occurrence. Learned counsel further submitted that from perusal of the FIR it appears that petitioner made physical relations with the victim for more than one year but she did not make any complaint regarding the same. Learned counsel further submitted that victim has also refused to undergo medical examination which creates doubt over the prosecution story. Learned counsel further submitted that from perusal of the FIR, it appears that it is case of consensual relationship. It has been submitted on behalf of the petitioner that the petitioner is in custody since 15.07.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that victim in her statement recorded under Section 183 of the BNSS has corroborated the contents of the FIR, and therefore, the petitioner does not deserve to be released on bail.

6. Considering the aforesaid facts and circumstances of the case as also the statement of the victim recorded under Section 183 of the BNSS, this Court is not inclined to grant bail to the petitioner at this stage.



7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

(Rudra Prakash Mishra, J)

Alok Verma/-

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