

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.9533 of 2025**

Arising Out of PS. Case No.-674 Year-2024 Thana- RAFIGANJ District- Aurangabad

Prince Kumar Singh @ Prince Kumar @ Raj Kumar Son of Ajay Singh  
Resident of Village- Garwa, P.S.- Rafiganj, District- Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mukesh Kumar Son of Not Known Resident of Village- Garwa, P.S.-  
Rafiganj, District- Aurangabad

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Pramendra Kumar Singh, Advocate

For the Opposite Party/s : Mr. Anil Kumar Singh No. 1, A.P.P

**CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA**  
**ORAL ORDER**

4      29-05-2025                      Heard learned counsel for the petitioner, learned  
A.P.P. for the State and learned counsel for the informant.

2. The petitioner seeks regular bail in connection with  
POCSO G.R. Case No.190 of 2024 arising out of Rafiganj P.S.  
Case No. 674 of 2024 lodged on 14.11.2024, for the offence  
punishable under Sections 331(4), 118(1), 64(1), 351(2) & 123  
of the Bharatiya Nyaya Sanhita, 2023 and section 4 of the  
POCSO Act.

3. The allegation in the First Information Report is  
that while the victim was sleeping in her house with her paternal  
aunt at around 01.30 a.m., the petitioner entered into her room



and caught her hand and when the victim raised alarm, she was forced to drink some liquid due to which she became unconscious and then the petitioner established physical relationship with the victim. Further, it has been stated that the petitioner started teasing and threatening the victim on her way to school.

4. Learned counsel for the petitioner submits at the outset that the very narration of the prosecution story in the FIR does not inspire confidence as it does not seem believable that while the victim was sleeping in her house along with her paternal aunt, the petitioner would reach her room and establish physical relationship with her. Further, it has also been submitted that the victim was subjected to medical examination and the medical report also does not corroborate the oral allegations as no definite opinion has been given with regard to any physical assault. Further, the medical report of the Medical Board would also show that the age of the victim is estimated to be of between 16-18 years. Learned counsel submits that the statement of the victim was also recorded under Section 183 of the B.N.S.S and upon minute reading of the same, it would appear that an attempt was made upon the victim by the petitioner whereafter, her paternal aunt had woken up. Thus, the



statement under Section 183 of the B.N.S.S also differs from the statement which has been made in the FIR. The petitioner is in custody since 15.11.2024 and charge-sheet has been submitted in this case.

5. Learned counsel appearing for the informant opposes the prayer for bail of the petitioner on the ground that there is a direct allegation against the present petitioner of establishing physical relationship with the victim who is a minor.

6. Learned APP for the State opposes the prayer for bail of the petitioner.

7. Considering the rival contentions and also taking into consideration that the petitioner is in custody since 15.11.2024 and charge-sheet has been submitted, let the above named petitioner, be released on bail on furnishing bail bond of Rs.10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Additional Sessions Judge-VI-cum-Special Exclusive Judge (POCSO), Aurangabad, in connection with POCSO G.R. Case No.190 of 2024 arising out of Rafiganj P.S. Case No. 674 of 2024, subject to the further condition that:-

(i) The petitioner would appear physically before the



learned Court concerned on each and every date till the charges are framed in this case and in case of absence on two consecutive dates without sufficient reasons, the learned Court concerned would be at liberty to cancel the bail bonds of the petitioner.

**(Soni Shrivastava, J)**

Divyansh/-

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