

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7419 of 2025

Arising Out of PS. Case No.-64 Year-2024 Thana- MATIHANI District- Begusarai

Ritik Kumar son of Kapildev Malakar village- Musaheb Singh Tola, Ward no. 08, Ps- Sahebpur Kamal, Dist- Begusarai

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Satrudhan Malakar son of Late Gulten Malakar village- Barauni, Ps- Teghara, Dist- Begusarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Vinod Kumar Seth, Advocate
For the Opposite Party/s	:	Mr. Choubey Jawahar, APP
For the Informant	:	None

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 22-08-2025 Heard Mr. Vinod Kumar Seth, learned counsel for the petitioner and Mr. Choubey Jawahar, learned APP for the State. None appears on behalf of the informant despite notice being validly served. Perused the case diary.

2. The petitioner apprehends his arrest in connection with Matihani P.S. Case No. 64 of 2024 instituted for the offences under Sections 376, 385, 506, 34 of the Indian Penal Code and Sections 4/8 of the POCSO Act.

3. Prosecution case, in short, is that all the accused persons including the petitioner committed rape upon the victim and also recorded the video of the incident.

4. Learned counsel for the petitioner submitted that the



petitioner has falsely been implicated in the present case. Learned counsel further submitted that the specific allegation is against one Aman Kumar and the petitioner is nowhere in the story. Learned counsel further submitted that petitioner has not committed anything wrong with the victim and, it is pertinent to mention here is that petitioner and other accused persons including the informant and victim are *gotias*. It has been submitted on behalf of the petitioner that the petitioner has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that victim in her statement recorded under Section 164 of the Cr.P.C. has specifically supported the case of the prosecution, and therefore, the petitioner does not deserve the privilege of anticipatory bail.

6. Considering the aforesaid facts and circumstances of the case, victim's statement recorded under Section 164 of the Cr.P.C. as also nature and gravity of offence, in my view, this is not a fit case for anticipatory bail, I am not inclined to grant anticipatory bail to the petitioner.

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



8. However, if the petitioner surrenders before the learned court below within a period of six weeks from today and prays for regular bail, the same shall be disposed of on its own merit without being prejudiced by this order.

(Rudra Prakash Mishra, J)

Alok Verma/-

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