

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.10521 of 2025

Arising Out of PS. Case No.-332 Year-2024 Thana- DIDARGANJ District- Patna

Mahendra Kumar @ Mahendra Yadav Son of Shipahi Yadav @ Sipahi Ji @
Sipahi Singh Resident of Village - Nizampur, P.S. - Didarganj, District - Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Samida Khatoon Wife of Md. Aftab Resident of Village - Kasara, P.S. -
Didarganj, District - Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Shashi Bhushan Singh

For the Opposite Party/s : Mr. Choubey Jawahar

CORAM: HONOURABLE MR. JUSTICE S. B. PD. SINGH

ORAL ORDER

4 09-05-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Didarganj P.S. Case No. 332 of 2024 registered for the offences punishable under Sections 137(2), 96 and 318(2) of the BNS and Sections 4 and 6 of the POCSO Act.

3. As per the prosecution story, on 18.09.2024 informant – Samida Khatoon came to know that her daughter was at the house of petitioner – Mahendra Yadav. The informant has further alleged that Mahendra Yadav (petitioner) established illicit relation with her minor daughter on the false pretext of



marriage.

4. Learned counsel for the petitioner submits that the petitioner is a daily wage labourer who is innocent and has falsely been implicated in this case by the informant in collusion with the enemies of the petitioner. There is no cogent material to implicate the petitioner in the present case. According to the F.I.R., victim's age is about 15 years but as per the Medical Report, the age of victim is about 17 to 19 years. The entire prosecution case is false, unfounded and beyond the truth. The criminal antecedent of the petitioner is clean and he is in custody since 19.09.2024.

5. Learned A.P.P. appearing on behalf of the State has vehemently opposed the prayer for bail of the petitioner.

6. From perusal of the case diary it appears that in para 2 and 3 the witnesses have supported the allegation against the petitioner. The statement of the victim has been recorded under Section 183 of BNS and it is attached with the case diary, from perusal of which it appears that, she has disclosed her age as 15 years and the court has also observed her age as 15 years. In her statement she has supported the entire occurrence of keeping her unconscious by the accused persons and committing rape by them in which petitioner was one of them. After



completion of investigation, chargesheet has been submitted in this case by the police against the petitioner under Sections 137(2), 96, 318(2), 123 and 69 of BNS as well as under Sections 4 and 6 of the POCSO Act.

7. Keeping in view the aforesaid facts, and considering the gravity of the offence, this Court is not inclined to release the petitioner on bail. Accordingly, the instant application for grant of regular bail stands rejected.

(S. B. Pd. Singh, J)

Ankit Kumar/-

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