

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17739 of 2025

Arising Out of PS. Case No.-173 Year-2024 Thana- ISHAKCHAK District- Bhagalpur

Rishikesh Kumar @ Risi Raj @ Rishikesh Kr. S/O Mirtunjay Kumar Resident
Of Mohalla- Sikandarpur, Ahmad Ali Lane, Ps- Mozahidpur, Dist.-
Bhagalpur. Petitioner/s

Versus

1. The State of Bihar
2. Gautam Kumar S/O Late Ram Manohar Pandey R/O Vill.- Ishakchak, P.S.-
Ishakchak, Dist.- Bhagalpur. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Praveen Kumar

For the Opposite Party/s : Mr.Upendra Kumar

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 13-05-2025 Heard the learned counsel for the petitioner as well as
the learned Additional Public Prosecutor for the State.

2. The petitioner is seeking regular bail in connection
with Ishakchak P.S. Case No. 173 of 2024 for the offences
punishable under Sections 344, 323, 504, 509, 494/34 of the
Indian Penal Code and Section 8 and 12 of the POCSO Act.

3. Allegedly, in absence of the informant, his wife
along with her daughter were enticed away by the petitioner and
they were detected to be residing at *Rajsthan*. The informant
went there and insisted upon his wife and daughter to come with
him, upon which, the wife of the informant refused to return
with him whereas his daughter came back with the informant. It
also came to light that the informant's wife and the petitioner
used to torture his daughter mentally as also the petitioner is
alleged to have committed illegal act with his daughter.

4. Learned counsel for the petitioner has submitted



that that the petitioner is innocent and falsely been implicated in this case. He has further submitted that there is delay of more than six months in lodging the FIR. He has also submitted that the petitioner is a person of clean antecedents and is under custody since 23.12.2024.

5. Learned APP for the State has opposed the prayer for bail.

6. From perusal of the statement under Section 183 of the BNSS, in which the age of the victim has been mentioned as 11 years, the petitioner was her tutor and he used to display vulgar photographs to her and also used to threaten to kill her. She attempted to commit suicide, which shows that she is in mental trauma. The victim is, according to her educational certificates, 12 years of age at the time of occurrence.

7. Considering the above-mentioned facts and circumstances as well as the gravity of the allegation, I do not think it to be a fit case for bail, which is hereby rejected.

8. However, the petitioner, if so advised, may renew his prayer for bail after six months from today.

(Nawneet Kumar Pandey, J)

Nirmal/-

U		T	
---	--	---	--

