

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.15752 of 2025

Arising Out of PS. Case No.-82 Year-2024 Thana- JAMALPUR District- Darbhanga

Abhinav Kumar @ Abhinav Kumar Ray @ Abhinav Ray @ Abhinav Roy S/O
Mithilesh Ray @ Mithilesh Roy @ Mithilesh Rai R/o Vill- Dhanga, P.S -
Jamalpur, District - Darbhanga, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Soday Devi W/O Vinod Ray R/o Vill- Dhanga, P.S - Jamalpur, District - Darbhanga, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajesh Kumar Singh
For the Opposite Party/s : Mr. Rana Randhir Singh

CORAM: HONOURABLE MR. JUSTICE ARVIND SINGH CHANDEL
ORAL ORDER

3 15-05-2025 None present for the informant, though notice has
been served upon the informant.

Heard learned counsel for the petitioner and
learned counsel for the State.

2. This is the first regular bail application of the
petitioner seeking his regular bail in connection with Jamalpur
P.S. Case No. 82 of 2024 registered for the offence under
Sections 64, 351(2), 3(5) of the Bharatiya Nyaya Sanhita and
Sections 4, 6 of the POCSO Act.

3. According to the case of prosecution, on the date
of recording of FIR, the age of the victim girl is about 17 years
11 months. Her date of birth is mentioned as 01.01.2007. On



03.11.2024, FIR has been lodged by the mother of the victim girl wherein it has been alleged that on 15.08.2024, the present applicant forcefully entered in the house and they committed forcefully intercourse with the victim girl and they also prepared the video of the said act. Subsequently, on 30.10.2024 at about 11:30 pm. again the petitioner entered their house and again committed forcefully sexual intercourse with the victim girl. *Panchayati* was also convened and finally, on 03.11.2024, the matter was reported by the mother of the victim girl.

4. It is submitted by the learned counsel for the petitioner that petitioner is innocent and has falsely been implicated in the present case due to some dispute with the family of the victim girl. He submits that the medical report of the victim girl does not support the case of prosecution as no internal or external injury was found on the body of the victim girl. Lastly, it is submitted by the counsel that petitioner is in custody since 11.12.2024, therefore, on these grounds, it is prayed that the petitioner may be granted benefit of bail.

5. Learned counsel for the State opposes the arguments raised by the counsel for the petitioner.

6. Heard.

7. Perused the case diary and other materials



available on record.

8. Considering the submissions made by the counsel for the petitioner and further considering the materials available on record without commenting the merits of the case, I am of the view that it is a case where the petitioner should be granted benefit of bail.

9. Accordingly, the application is allowed.

10. The petitioner, above named, be released on bail on furnishing bail bond of Rs. 10,000/- (ten thousand) with two sureties of the like amount each to the satisfaction of Special Judge (POCSO Act), Darbhanga in connection with Jamalpur P.S. Case No. 82 of 2024.

(Arvind Singh Chandel , J)

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