

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17838 of 2025

Arising Out of PS. Case No.-537 Year-2024 Thana- MAJHAULIA District- West Champaran

Rajan Kumar S/o Munilal Sahani @ Munni Lal Sahni @ Munni Lala Sahani
R/o Vill. - Senduriya, Ward No.- 3,P.S- Majhaulia, District- West Champaran,
Bettiah.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sumitra Devi W/o Late Anil Sahani R/o Vill. - Bhataha, P.S- Muffasil,
District- East Champaran, Motihari.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar, Advocate
		Mr. Dhiraj Kumar, Advocate
For the Opposite Party/s	:	Md. Shakir Ahmad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 21-04-2025 Heard Mr. Rajesh Kumar, learned counsel for the
petitioner and Md. Shakir Ahmad, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Majhauiliya P.S. Case No. 537 of 2024, F.I.R. dated 31.08.2024 for the offences punishable under Section 65(1) of the Bhartiya Nyaya Sanhita, 2023 and Section 4 & 6 of the POCSO Act.

3. According to prosecution case, when the victim went to attend the call of nature then this petitioner came and committed rape upon her and on alarm rasied by the victim, he fled away. It is further stated that when the victim's family went to the house of the petitioner then this petitioner along with his



family members threatened to kill them if they disclosed about the said incident.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits it has come during investigation as well as in the impugned order that the statement of the victim was recorded under Section 164 of the Cr.P.C. / Section 183 of the BNNS in which she has fully supported the case of the prosecution and apart from that the date of birth of the victim is 25.05.2010 which suggest that the victim was minor at the time of occurrence and the medical report also supported the allegation as alleged in the F.I.R.

6. Considering the aforesaid facts and circumstances, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Majhauilya P.S. Case No. 537 of 2024 pending in the court of Special Judge, POCSO cum



Additional District Judge-VI, West Champaran, Bettiah.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Vanisha/-

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

