

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23698 of 2025

Arising Out of PS. Case No.-224 Year-2024 Thana- RAHUI District- Nalanda

Karanvir Yadav @ Sadhu Yadav Son of Awadh Kishore Prasad @ Ram
Ishwar Prasad Resident of Village - Musepur, P.S. - Rahui, (Bhagan Bigha
O.P), District - Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Pramod Kumar Son of Lal Das Yadav Resident of Village - Musepur, P.S. -
Rahui, (Bhagan Bigha O.P), District - Nalanda

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rama Kant Sharma, Sr. Advocate Mr. Kumar Jay, Advocate
For the Opposite Party/s :		Mr.Jitendra Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 01-09-2025 Heard Mr. Rama Kant Sharma, learned Senior
Counsel for the petitioner, the State and the informant.

2. The petitioner is apprehending arrest in connection
with Rahui P.S. Case No. 224 of 2024 instituted under Sections
376, 323, & 325 of the Indian Penal Code and under section 4/6
of POSCO Act lodged on 30.04.2024.

3. As per the complaint/informant's case, the
allegation is that the daughter of the complainant was repeatedly
subjected to sexual assault by the petitioner, a video was also
prepared and she was threatened of consequences, if it is
informed to anyone. It continued for five to six months. On
18.10.2023, when she had pain in her stomach, taken to a



Doctor on 19.10.2023 when it came to notice that she is pregnant. Upon query, she gave the name of this petitioner.

4. It is alleged that in the absence of complainant, on 29.10.2023, the petitioner forcibly took the victim and got her aborted. When confronted, the assault also took place. This led to the case.

5. Learned Senior Counsel for the petitioner submits since the petitioner is cousin brother of the victim, only to grab the land the land of the petitioner's family, this theory has been put forward. An informatory petition was already filed with the Chief Judicial Magistrate, Nalanda at Bihar Sharif on 03.11.2024 and close on the heels, on 04.11.2023, the case was filed. He submits that in the month of May, 2024, a medical board was constituted where her age was found to be 18 to 19 years and there was no sign of pregnancy. The petitioner do not have criminal antecedent and as such deserves relief.

6. The informant has put in his appearance and filed counter affidavit. The allegation is that on 18.10.2023, they came to know about the pregnancy and on 19.10.2023, she was taken to Hospital where the pregnancy was detected. In support of that, the investigation chart of Dr. Mamta Rani Hospital has been annexed which shows the report dated 19.10.2023 as also



that the victim was having pregnancy of 23 weeks and 5 days.

7. Clearly, the allegation made in the complaint/subsequent FIR matches with the medical report. Merely because the girl has been found to be between 18 and 19 years as also the informatory petition filed a day earlier do not exonerate the petitioner of the allegation that has come against him of not only sexually assaulting the girl for 5 to 6 months, forcibly took her to the Hospital and got her aborted despite the fact that she was carrying pregnancy of 23 weeks and 05 days, upon confrontation, also resorted to assault.

8. In that background, this Court is not inclined to extend him the privilege of anticipatory bail which is accordingly rejected.

9. If the petitioner surrenders within a period of four weeks from today, the Court concerned shall take up the matter and dispose it of preferably on the same day.

(Rajiv Roy, J)

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