

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18336 of 2025

Arising Out of PS. Case No.-41 Year-2024 Thana- Bhalpatti District- Darbhanga

Shyam Yadav S/O Ram Ashish Yadav Resident of Village- Mali Tola, P.S-
Bhalpatti, District- Darbhanga.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Arti Kumari D/O Dilip Mandal R/O Village- Mali Tola, P.S- Bhalpatti,
Distt.- Darbhanga.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Sunil Kumar Karn, Advocate
For the State	:	Mr. Dilip Kumar No. 1, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 11-04-2025 Heard learned counsels for the parties.

2. The petitioner seeks bail in connection with Bhalpatti P.S. Case No. 41 of 2024 registered for the offence punishable under Sections 376 and 506 of the Indian Penal Code and Sections 4 and 6 of the POCSO Act.

3. As per prosecution case, it is alleged that this petitioner got the victim seated on his vehicle and brought her to his house and committed rape.

4. It is submitted by learned counsel for the petitioner that petitioner is quite innocent and has committed no offence. Petitioner has falsely been implicated in this case with ulterior motive. The present F.I.R. has been lodged after inordinate



delay of more than two months and there is no plausible explanation for the same. Petitioner has got no criminal antecedents and he is in custody since 23.01.2025.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner and submitted that petitioner is named in the F.I.R. with specific accusation that he brought the victim to his house and committed rape. The victim in her statement recorded under Section 183 of the B.N.S.S. has supported the prosecution case. The medical board has assessed the age of victim to be between 16 and 17 years.

6. Considering the facts and circumstances of the case, specific and direct nature of accusation and statement of victim recorded under Section 183 of the B.N.S.S., the prayer for grant bail of to the petitioner is rejected.

(Prabhat Kumar Singh, J)

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