

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22231 of 2025

Arising Out of PS. Case No.-202 Year-2022 Thana- HATHUA District- Gopalganj

Abhishek Kumar S/o Jitendar Sah Resident of Village - Hathua Bazar, P.S.-
Hathua, District- Gopalganj

... .. Petitioner/s

Versus

1. The State of Bihar
2. Halima Khatoon D/o Munna Ansari R/o Bari Ishwar, P.S.- Mathura, Distt.-
Gopalganj

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajeev Ranjan, Advocate
For the Opposite Party/s	:	Mr. Ashok Kumar Singh, APP
For the Informant	:	None

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

5 23-07-2025 Heard learned counsel for the petitioner, learned

APP for the State and perused the case diary. Learned APP for
the State has already informed the informant regarding
institution of the present case and despite the information, none
appears on behalf of the informant.

2. The petitioner seeks bail in connection with Hathua
P.S. Case No. 202 of 2022, instituted for the offences punishable
under Section 376 DA of the Indian Penal Code and Section 6 of
the POCSO Act.

3. The prosecution case, in short, is that, the petitioner
along with other co-accused persons committed rape upon the



informant and also made a video of the same. It is further alleged that they have threatened the victim to make the video viral.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Learned counsel for the petitioner also submits that the petitioner has not committed any offence as alleged against him. Name of the petitioner has transpired in this instant case due to dirty local politics and police without any cogent evidence has arrested the petitioner from his house. It is further submitted that medical test of the petitioner has not been done. The petitioner is in custody since 09.11.2022 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submits that the petitioner is named in the FIR and there is specific allegation of committing rape against the petitioner. It is further submitted that the victim has supported the prosecution case in her statement recorded under Section 161 of Cr.P.C. and Section 164 of Cr.P.C. Hence, the petitioner does not deserve the privilege of bail.



6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected. The trial Court is directed to expedite the Trial.

(Rudra Prakash Mishra, J)

Rajorshi/-

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

