

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25550 of 2025

Arising Out of PS. Case No.-353 Year-2019 Thana- BOCHAHAN District- Muzaffarpur

Vijay Kumar S/O Ramswarup Ray R/O Village- Baithi Rasulpur, P.S-
Bochahan, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rekha Devi W/O Sri Mohan Sah R/O Village- Dahiwan Mohanpur, P.S-
Bochahan, Distt.- Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Nitu Kumari, Advocate
For the Opposite Party/s	:	Mr. Narsingh Tanti, APP
For the Informant	:	Mr. Chandra Shekhar Anand, Advocate

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

3 25-09-2025 Heard the parties.

2. Petitioner apprehends arrest in a case registered for the offence punishable under Sections 376(G), 302 and 34 of the Indian Penal Code and Sections 4 and 6 of POCSO Act.

3. As per the prosecution case, daughter of informant was on talking terms with co-accused Badal Kumar on her mobile phone. On 18.10.2019, in the night, her daughter was called by co-accused Badal Kumar, who along with others, killed her after committing rape. Accordingly, F.I.R. was instituted.

4. Learned counsel for the petitioner submits that the petitioner is not named in the FIR. Name of the petitioner transpired during course of investigation on the material that



mobile of this petitioner was used by co-accused Badal Kumar for making communication with the victim. Petitioner claims clean antecedent.

5. Learned counsel for the informant opposes the prayer for bail and submits that the name of the petitioner has come on the basis of CDR of seized mobiles from which it has transpired that phone of this petitioner was used for making communication with the victim girl. Hence, he does not deserve the privilege of anticipatory bail.

6. Considering the nature and gravity of allegation, prayer for pre-arrest bail of the petitioner is rejected.

(Prabhat Kumar Singh, J)

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