

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31633 of 2025

Arising Out of PS. Case No.-159 Year-2024 Thana- JALALGARH District- Purnia

Md. Tousin @ Md. Tousif S/o- Md. Quasim @ Md. Qasim @ Kasim R/o-
Ward No-2, Ghaski Majgawan Lakhna P.S.- Jalalgarh Dist- Purnea
... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Bibi Ruby W/o- Mansur Village- Ghaski Ward No.-2, Lakhna Ps- Jalalgarh Dist- Purnea

... .. Opposite Party/s

Appearance :
For the Petitioner/s : Mr. Ranjeet Choubey, Advocate
For the State : Mr. Tarun Prasad Mandal, APP
For the O.P. No. 2 : Mr. Bijendra Kumar Singh, Advocate
Ms. Neha Pravin, Advocate

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

4 01-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail, apprehending his arrest,
in connection with Jalalgarh P.S. Case No. 159 of 2024, dated
05.10.2024, registered for the offences punishable under
Sections 64 and 3(5) of B.N.S., 2023 and Section 34 of POCSO
Act, 2012.

3. As per allegation, emerging from the written report
of the mother of 13 year old victim girl, the informant-mother
was working in the house of the petitioner. As per further
allegation, the 13 year old daughter of the informant was
forcibly ravished by the petitioner, extending threat of killing
her and consequently, she got pregnant.



4. Learned counsel for the petitioner submits that the Petitioner is innocent and has falsely been implicated in this case. He further submits that the petitioner has love affairs with the alleged victim and hence, there was consensual intercourse between them and as per statement of the victim under Section 183 B.N.S.S., she wants to marry him.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the bail petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State and learned counsel for the informant vehemently oppose the prayer of the Petitioner for bail submitting that the victim is 13 year old and even as per medico legal examination, she has been found to be 14-15 year and she has been also found to be pregnant.

8. Considering the aforesaid facts and circumstances, I am not persuaded to enlarge the petitioner on anticipatory bail.

9. Accordingly, the anticipatory bail petition of the petitioner is hereby rejected.

(Jitendra Kumar, J)

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