

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31336 of 2025

Arising Out of PS. Case No.-85 Year-2025 Thana- HASPURA District- Aurangabad

Randhir Kumar S/O Lakshman Ram R/O Saidpur, P.s.- Haspura, Dist.-
Aurangabad

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manju Kumari S/O Uday Ram so called minor guardianship of her father
namely Uday Ram R/O Vill.- Saidpur, P.s.- Haspur, Dist.- Aurangabad.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mrs. Mukul Kumari, Advocate
For the State	:	Mr. Shailendra Kumar, A.P.P.
For the Opposite Party/s	:	Mr. Santosh Chandra Bhaskar, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 30-07-2025 Heard Mrs. Mukul Kumari, learned counsel for the

petitioner, Mr. Santosh Chandra Bhaskar, learned counsel for the

informant and Mr. Shailendra Kumar, learned Additional Public

Prosecutor for the State.

2. The petitioner is apprehending his arrest in
connection with Haspura P.S. Case No. 85 of 2025, FIR dated
22.03.2025 registered for the offences punishable under
Sections 126(2), 127(2), 65(1), 62 and 115(2) of the Bharatiya
Nyaya Sanhita, 2023 and Sections 8 and 12 of the POCSO Act.

3. According to prosecution case, the informant
alleged that on 19.03.2025 at around 08:00 P.M., while she was
attending nature's call near her house, the petitioner forcibly



took her to a wheat field and attempted to rape her. During the incident, her uncle came searching for her and the petitioner allegedly assaulted him.

4. Learned counsel for the petitioner submits that the petitioner has clean antecedent. The allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. Learned counsel for the petitioner further submits that it appears from the F.I.R. that date of occurrence as alleged in the F.I.R. is 19.03.2025 but the present F.I.R. is instituted on 22.03.2025 i.e. after delay of four days afterthought only to falsely implicate the petitioner.

5. Learned A.P.P. for the State and learned counsel for the informant, on other other hand, have vehemently opposed the prayer for anticipatory bail of the petitioner and submits that it appears from the F.I.R. that the petitioner has tried to commit rape upon the victim and the age of victim is about 13 years which suggests that the victim was minor on the date of occurrence and there is specific and direct allegation against the petitioner that he has tried to commit rape upon the victim.

6. Considering the aforesaid fact that there is specific and direct allegation against the petitioner in the F.I.R.



supported by the witnesses and the statement of the victim recorded under Section 164 of the Cr.P.C. in whcih she has supported the case of the prosecution, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Haspura P.S. Case No. 85 of 2025 pending in the court of learned S.D.J.M., Daudnagar, Aurangabad.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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