

IN THE HIGH COURT OF JUDICATURE AT PATNA

CRIMINAL MISCELLANEOUS No.42341 of 2025

Arising Out of PS. Case No.-32 Year-2024 Thana- MAHILA P.S. District- Madhepura

Ram Pravesh Kumar @ Ram Prabhash Yadav S/o- Yogendra Yadav @ Yogi
Yadav Village- Guariya Ward No-13 PS- Kumar Khand Distt- Madhepura

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kundan Mandal S/o- Late Bindeshwari Mandal Village- Miran W.No-11,
Gram Panchayat, Esraeen Baila Thana Srinagar Dist- Madhepura

... .. Opposite Partys

Appearance :

For the Petitioner/s : Mr. Sanghamitra Ghosh, Advocate
: Mr. Abhishek Singh, Advocate
For the Opposite Party/s : Mr. Shyam Kumar Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA

ORAL ORDER

6 12-12-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in a case registered for
the offence punishable under Sections 65, 127(2) of B.N.S. and
Section 4 of the POCSO Act.

3. The allegation in the first information report is
that the minor daughter of the informant was taken away by
Ram Pravesh Kumar (petitioner) into bush, who committed
rape upon her by threatening her on the point of knife.

4. The learned counsel for the petitioner submits
that the victim was subjected to medical examination and the
report of the victim girl would show that her age is in between
17 to 19 years. It would further appear from the medical report
that neither any injury was found on any private part of the
body nor spermatozoa was found in vaginal swab. It is further



submitted that the petitioner has been falsely implicated in the present case and no such incident had taken place. The petitioner is in custody since 07.10.2024 and there is no likelihood of the trial to be concluded in near future.

5. Learned APP for the State opposed the grant of bail on the ground that the offence is heinous one and the victim in her statement under Section 183 of the B.N.S.S. has totally supported the case of rape as against the petitioner.

6. Taking into consideration the facts and circumstances and considering the fact that the allegation relates to committing rape upon a minor daughter of the informant which stands supported by the statement of the victim girl under Sections 180 and 183 of the B.N.S.S. and further considering the seriousness and gravity of the offence, I am not inclined to grant bail to the petitioner at this stage.

7. Accordingly, the prayer for regular bail of the petitioner is rejected in connection with Mahila P.S. Case No.32 of 2024.

(Soni Shrivastava, J)

anand/-

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