

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38324 of 2025

Arising Out of PS. Case No.-16 Year-2025 Thana- MAHILA P.S. District- Araria

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Raju @ Md. Mukhtar S/O- Kafil R/O Vill- Satbita, Ward No. 06, P.S.-
Jokihat, District- Araria

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Farisa W/O- Mosarrat R/O Vill- Tulkaiti, Ward No. 08, P.S.- Jokihat,
District- Araria

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Vijay Kishore Bharti

For the Opposite Party/s : Mr.Damodar Prasad Tiwary

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 01-07-2025 Heard learned counsel for the petitioner and

learned A.P.P for the State.

2. The petitioner has preferred this application for
grant of regular bail in connection with Mahila P.S. Case
No. 16 of 2025 dated 22.03.2025 registered for the offences
punishable u/ss 65(1), 76, 351(2), 351(3) of the BNS and
section 4 of the POCSO Act.

3. As per the prosecution case, the petitioner is
alleged to have committed rape on the informant's minor
daughter forcibly.

4. Learned counsel for the petitioner has submitted



that the petitioner is innocent and has falsely been implicated in this case. There is a delay of four days in lodging the FIR. It is further submitted that victim was medically examined and no any external injury was found on the private part of the victim and the hymen was found old ruptured. It is further submitted that no spermatozoa either dead or alive was found. Charge-sheet has already been submitted against the petitioner. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 22.03.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that there is direct allegation against the petitioner of committing rape on the informant's minor daughter. As per the impugned order, the medical report suggests that the hymen of the victim was found to be ruptured. It is further stated that the victim has also supported the prosecution in her statement recorded u/s 180 and u/s 183 of the BNSS.

6. Considering the aforesaid facts and circumstances of the case as well as the specific and heinous nature of allegation against the petitioner, I am not



inclined to enlarge the petitioner on bail.

7. The application stands rejected.

(Chandra Prakash Singh, J)

guddukr/-

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