

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37773 of 2025

Arising Out of PS. Case No.-14 Year-2025 Thana- SONBERSHA RAJ District- Saharsa

Rupesh Kumar S/O Jageshwar Yadav R/O Villae- Dumra, Ward No.-01, P.S-
Sonbarsa Raj, Distt.- Saharsa.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Gita Devi W/O Gajendra Yadav Informant of Sobarsa Raj P.S Case no. 14/2025, W/O Gajendra Yadav, residents of Village- Dumra, Ward No.-01, P.S- Sonbarsa Raj, Dist.- Saharsa.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ashish Kumar Sinha, Adv.
For the State	:	Mr.Shailendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

4 27-11-2025 Heard learned counsel for the petitioner as well as

learned APP for the State.

2. The petitioner apprehends his arrest in connection with Sonbarsa Raj P.S. Case No. 14 of 2025, registered for the offences punishable under Sections 329(3), 115(2), 75, 352, 351(2), 351(3), 3(5) of BNS and Section 8, 12 of POCSO Act.

3. The mother of the victim girl, aged about 13 years, lodged this case stating therein that when the informant and her husband were not present in the house, the petitioner entered into her house and attempted to commit rape (misdeed) with her daughter. The victim rushed crying to the house of her aunt (*Mausi*), situated nearby and narrated the entire occurrence.



4. The learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated. He is a student, preparing for competitive examination. He has become a victim of village politics. The FIR was lodged after ten days of the occurrence.

5. On the other hand, Mr.Shailendra Kumar, learned APP for the State and the learned counsel for the informant have opposed the prayer for bail by submitting that the FIR itself shows that father of the victim was out of station and when he returned, the case was lodged. The learned counsel for the informant has submitted further that the petitioner, prior to the occurrence, had sent some filthy messages to the victim. The victim, in her statement under Section 183 of the BNSS, fully corroborated the occurrence. She is aged about 13 years.

6. Considering the above-mentioned facts and circumstances, in my view, the petitioner doesn't deserve the privileges for anticipatory bail. Accordingly, it is rejected.

(Nawneet Kumar Pandey, J)

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