

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.37796 of 2025

Arising Out of PS. Case No.-81 Year-2025 Thana- BHAGWANPUR District- Begusarai

Chhotu Yadav @ Chhote Yadav Son of Neplai Yadav Village- Handalpur, Ps-
Bhagwanpur, Dist- Begusarai

... .. Petitioner/s

Versus

1. The State of Bihar
2. [REDACTED] Village and Panchayat- Mehdauli, Ward no.
7, Post and Ps- Bhagwanpur, Dist- Begusarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Vinod Kumar Seth, Advocate

For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 02-09-2025 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the Informant.

2. The petitioner has prayed for regular bail in connection with Bhagwanpur P.S. Case No. 81 of 2025 instituted for the offence under Sections 126(2), 351(3) and 3(5) of B.N.S. and Sections 8, 12 and 4 of the POCSO Act.

3. The case of the prosecution is that the petitioner has committed carnal intercourse with the victim.

4. Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. Learned counsel for the petitioner has submitted that from perusal of the FIR itself, it is clear that the occurrence is of 17.03.2025 and the



FIR was lodged on 20.03.2025. He has also submitted that from perusal of the medical report, it will also transpire that doctors have not found any kind of injuries on the anal area of the victim. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 21.03.2025.

5. Learned APP appearing for the State and learned counsel for the informant have opposed the prayer of regular bail. Learned counsel for the informant has submitted that the delay was occurred because the *panchayati* was conducted in the village and as the petitioner did not agree the *panchayati*, the case was filed thereupon. Learned counsel for the informant has also submitted that in this case, the victim has given his statement under section 183 B.N.S.S. wherein he has fully supported the occurrence. There is one eye witness also, namely, Priyam who was also accompanying the victim and he has also given his statement during investigation and he has supported the case of prosecution as well.

6. Having heard the learned counsel for the parties and considering the nature of allegation against the petitioner, I am not inclined to enlarge him on bail at this stage and, as such, his prayer for bail stands rejected.



7. However, the petitioner will be at liberty to renew his prayer for bail after one year of his incarceration.

(Ashok Kumar Pandey, J)

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