

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.39885 of 2025

Arising Out of PS. Case No.-70 Year-2024 Thana- Nawalpur District- West Champaran

Arbaz Alam @ Arbaz Ansari Son of Harun Ansari R/O vill- Semri
Bhawanipur , p.S- Nawalpur, District- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. X Wife of Allauddin Ansari Resident of Vill- Semri Bhawanipur, P.S
Nawalpur, Distt.- West Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Bimlesh Kumar Pandey, Advocate
For the Opposite Party/s :	Mr. Md. Matloob Rab, APP
For the Informant :	Mrs. Kumari Akanksha Rai, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

5 07-10-2025 Heard learned counsel for the petitioner, learned
APP for the State, learned counsel for the informant and perused
the case diary.

2. Earlier, anticipatory bail of the petitioner has been
rejected by a Co-ordinate Bench of this Cour vide order dated
29.01.2025 passed in Cr. Misc. No. 76223 of 2024.

3. The petitioner seeks bail in connection with
Nawalpur P.S. Case No. 70 of 2024, instituted for the offences
punishable under Sections 64, 81 of the Bharatiya Nyaya
Sanhita, 2023, read with Sections 4 and 6 of the POCSO Act.

4. The prosecution case, in short, is that the petitioner



has established physical relation with the informant's minor daughter.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Learned counsel for the petitioner also submits that the petitioner has not committed any offence as alleged in the FIR. The allegation levelled against the petitioner is general and omnibus in nature. It is further submitted that the petitioner is the son of informant's sister. There is contradiction in the statement of the victim recorded under sections 161 and 164 of Cr.P.C. and the medical report of the victim does not constitute any commission of intercourse. The petitioner is in custody since 23.04.2025 and has got no criminal antecedent.

6. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner and submits that the victim was a minor and the petitioner was major on the date of alleged occurrence. It is further submitted that the victim has stated about the involvement of the petitioner in her statement recorded under Section 164 of Cr.P.C. Hence, the petitioner does not deserve the privilege of bail.



7. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.

8. The prayer is rejected. The trial Court is directed to expedite the Trial.

(Rudra Prakash Mishra, J)

Rajorshi/-

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