

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40048 of 2025

Arising Out of PS. Case No.-11 Year-2025 Thana- Mission District- Sheikhpura

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1. Ajesh Kumar S/o Jittu Ram R/o vill - Nasibchak, P.s. - Mission, Distt.- Sheikhpura
 2. Rajesh Kumar S/o Jittu Ram R/o vill - Nasibchak, P.s. - Mission, Distt.- Sheikhpura

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mamta Devi W/o Sunil Kumar R/o Nashibchak, P.s. - Mission, Distt.- Sheikhpura

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bipin Kumar, Advocate
For the State : Mr. Manoj Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 26-06-2025 Heard Mr. Bipin Kumar, learned counsel for the petitioners and Mr. Manoj Kumar, learned APP for the State.

2. The petitioners are apprehending their arrest in connection with Mission P.S. Case No. 11 of 2025, F.I.R. dated 10.03.2025 registered for the offences punishable under Sections 65(1), 89, 3(5) of B.N.S.

3. Allegation against the petitioners is that they have committed rape upon the victim.

4. Learned counsel for the petitioners submits that the petitioners have clean antecedents and they have been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the



petitioners have not committed any offence as alleged in the F.I.R.

5. Learned APP for the State, on the other hand, opposed the prayer for anticipatory bail of the petitioners and submits that from perusal of the F.I.R. it appears that there is direct and specific allegation against the petitioners that they have committed rape upon the victim and the victim was only 12 years of age and apart from that the date of birth of the victim suggests that her date of birth is 10.06.2011 which suggests that on the date of occurrence i.e. on 12.10.2023 the victim was minor as well as the medical report of the victim also suggests that she has been raped by the petitioners.

6. Considering the aforesaid facts and circumstances of the case and there is direct and specific allegation against the petitioners, I am not inclined to grant the privilege of anticipatory bail to the petitioners in connection with Mission P.S. Case No. 11 of 2025 pending in the Court of learned District & Additional Sessions Judge-cum-Exclusive Special Judge (POCSO), Sheikhpura

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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