

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40574 of 2025

Arising Out of PS. Case No.-249 Year-2024 Thana- SOHSARAI District- Nalanda

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Ankit Kumar S/o Mithilesh Kumar R/o vill - Gaibi, P.S.- Rahui, Distt.-
Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ranju Devi W/o Jitendra Kumar R/o vill - Bari Pahari, P.S.- Sohsarai, Distt.-
Nalanda

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Satya Prakash, Advocate

For the Opposite Party/s : Mr. Anil Prasad Singh, APP

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

ORAL ORDER

4 17-09-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Sohsarai P.S. Case No. 249 of 2024 instituted for the offences
under Sections 96, 137(2) of the Bharatiya Nyaya Sanhita, 2023
and Sections 65(1), 4(ii) 6 of the POCSO Act.

3. Accusation against the accused persons is of luring
away the minor daughter of the informant.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.
Petitioner is not named in the F.I.R. The name of the petitioner
transpired in this case on the basis of statement of the victim.



Learned counsel further submitted that victim in her statement recorded under Section 183 of the Bharatiya Nagarika Suraksha Sanhita, 2023 has not whispered anything against the petitioner. Learned counsel further contended that as per the statement of the victim, co-accused established physical relationship with her. Learned counsel further submitted that this petitioner never established physical relationship with the victim and the same is evident from her statement recorded under Section 183 of the Bharatiya Nagarika Suraksha Sanhita, 2023. It has been submitted on behalf of the petitioner that the petitioner is in custody since 02.02.2025 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned counsel further submitted that the victim in her statement recorded under Section 183 of the Bharatiya Nagarika Suraksha Sanhita, 2023 has named this petitioner. Learned counsel further submitted that the consent of the minor victim for establishing physical relationship has no evidentiary value in the eye of law.

6. Considering the aforesaid facts and circumstances of the case as also the complicity of the petitioner as per the statement of the victim recorded under Section 183 of the Bharatiya Nagarika Suraksha Sanhita, 2023, this Court is not



inclined to grant bail to the petitioner.

7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

8. Learned Trial Court is directed to expedite the trial.

9. However, liberty is granted to the petitioner to renew the prayer for grant of bail before the Trial Court if the trial is not concluded within a period of six months from today.

(Rudra Prakash Mishra, J)

Alok Verma/-

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