

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41621 of 2025

Arising Out of PS. Case No.-57 Year-2024 Thana- JHAROKHAR District- East Champaran

Vishal Kumar Son of Jamadar Singh village- Sundarpur PS -Jharokhar Dist
-East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Brij Kishore Prasad son of Late Ramsnehi Prasad village- Sundarpur PS
-Jharokhar Dist -East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Anuj Kumar, Advocate
For the Opposite Party/s	:	Mr. Md. Aslam Ansari, APP
For the Informant	:	Mr. Abhishek Kumar, Advocate
	:	Mr. Hemant Ray, Advocate

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

ORAL ORDER

4 13-10-2025 Heard learned counsel for the petitioner, learned
APP for the State and learned counsel for the informant.

2. The petitioner apprehends his arrest in connection
with Jharokhar P.S. Case No. 57 of 2024 for the offences
punishable under Section 96 of BNS.

3. The informant is the father of the victim. According
to him, his daughter was a student of Class X. Petitioner is his
co-villager and was working in SSB. He came to the house of
the informant and gave a mobile set to the victim. Later on, he
kidnapped the victim.



4. The learned counsel for the petitioner has submitted that the SIM used in that mobile belonged to the sister-in-law of the victim. His further submission is that the age of the victim is between 18 to 20 years according to the medical report. Petitioner claims clean antecedent.

5. On the other hand, the learned counsel for the informant has submitted that according to school certificates, the age of the victim is 14 years and 7 months, and the school certificates prevail over the medical report. Learned counsel has drawn my attention to para-52 of the case diary, which contains the statement of the victim recorded under Section 183 of the B.N.S.S., in which the victim has described the entire occurrence and has also stated that after making cut marks by blade on her cheek, breast, etc., the petitioner has committed rape upon her.

6. Considering the fact that the victim in her statement recorded under Section 183 of the B.N.S.S. has supported the case of the prosecution, the petitioner does not deserve the privilege of anticipatory bail. Accordingly, it is rejected.

(Nawneet Kumar Pandey, J)

AjayMishra/-

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