

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43301 of 2025

Arising Out of PS. Case No.-248 Year-2025 Thana- CHAINPUR District- Kaimur (Bhabua)

UPENDRA KUMAR @ UPENDRA BIND S/O RAM DAHIN BIND R/o vill
- Sirbit, P.S.- Chainpur, Distt.- Kaimur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Khushnama Bibi W/o Meraj Dhobi R/o vill - Sirbit, P.s. - Chainpur, Distt.- Kaimur (Bhabhua)

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Alka Singh, Advocate
For the Opposite Party/s	:	Mr. Shantanu Kumar, APP
For the Informant	:	None

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

ORAL ORDER

4 07-10-2025 Heard learned counsel for the petitioner and learned APP for the State. Perused the case diary. None appears on behalf of the informant despite notice being validly served.

2. The petitioner seeks bail in connection with Chainpur P.S. Case No. 248 of 2025 instituted for the offences under Section 64(1) of the Bharatiya Nyaya Sanhita, 2023 and Sections 4/6 of the POCSO Act.

3. Prosecution case, in short, is that the petitioner was caught doing immoral act with the informant's minor daughter.

4. Learned counsel for the petitioner submitted that the petitioner has falsely been implicated in the present case. Learned counsel further submitted that on perusal of the



statement of the victim recorded under Section 183 of the Bharatiya Nagarika Suraksha Sanhita, 2023, it is evident that the petitioner and the victim were in love with each other and due to the said reason, the petitioner has been falsely implicated in this case. It has been submitted on behalf of the petitioner that the petitioner is in custody since 16.05.2025 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 stating that victim in her statement recorded under Section 183 of the Bharatiya Nagarika Suraksha Sanhita, 2023 has supported the case of the prosecution.

6. Considering the aforesaid facts and circumstances of the case as also 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 at this stage.

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

(Rudra Prakash Mishra, J)

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