

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.48966 of 2025**

Arising Out of PS. Case No.-235 Year-2024 Thana- PURAINI District- Madhepura

Md. Junsher @ Md. Jamsed @ Md. Jamshed @ Md. Jumsher S/o Md. Abdul  
R/o Vill - Auray Ward No.12, P.S - Puraini, District - Madhepura

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nurjahan Khatoon W/o Md. Munna R/o Vill- Auray, Ward No. 11, P.S.-  
Puraini, Distt- Madhepura

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Dr. Sanjay Kumar Singh, Advocate  
For the Opposite Party/s : Mr. Bharat Bhushan, APP

**CORAM: HONOURABLE MR. JUSTICE RAMESH CHAND  
MALVIYA**

ORAL ORDER

3      15-10-2025                      Heard learned counsel for the petitioner and  
  
learned APP for the State.

2. The petitioner is in custody in connection with  
  
Puraini P.S Case No. 235 of 2024 from the Court of learned  
  
District and Additional Sessions Judge-VI-cum-Special  
  
Judge, POCSO, Madhepura registered for the offences  
  
punishable under Sections 190, 126(1), 115(2), 64, 329(4),  
  
352, 351(2), 351(3) of the BNS and Section 4 of the  
  
POCSO Act.

3. As per allegation in the FIR, petitioner entered  
  
into the room of the victim girl and tried to rape the victim.



4. Learned counsel for the petitioner submits that petitioner has falsely been implicated in this case. It is also submitted that petitioner is in judicial custody since 24.04.2025 and petitioner has got no criminal antecedent as stated in para 3 of the bail petition.

5. However, learned APP for the State oppose the prayer for regular bail of the petitioner.

6. On perusal of the FIR, case diary and impugned order it appears that, there is specific allegation against the petitioner for rape and sexual assault of minor girl aged about 13 years.

7. Considering the aforesaid facts and circumstances of the case, seriousness of the offence this Court is not inclined to grant bail to the petitioner. Hence, prayer for regular bail of the petitioner is hereby rejected.

**(Ramesh Chand Malviya, J)**

Mayank/-

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