

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46049 of 2025

Arising Out of PS. Case No.-151 Year-2025 Thana- SUGAULI District- East Champaran

Anand Kumar S/o- Arun Mahto @ Arun Mahato Village- Shyampur
Baithaniya Ps- Majhauriya Dist- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lalmati Devi W/o- Rakesh Mahto Village- Sugaon Dih Ps- Sugauli Dist-
East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhishek Kumar, Adv.

For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

2 05-08-2025 Heard Mr. Abhishek Kumar, learned counsel for the

petitioner and Mr. Bhanu Pratap Singh, learned APP for the

State.

2.The instant application for anticipatory bail has been
filed by the petitioner apprehending his arrest in connection
with Sugauli P.S. Case No. 151 of 2025, instituted for the
offence under Sections 96, 3(5) of the Bharatiya Nyaya Sanhita,
2023 and Section 8 of the POCSO Act.

3. The case of the prosecution is that the petitioner
along with others had kidnapped the minor daughter of the
informant.

4. Learned counsel appearing on behalf of the



petitioner has submitted that petitioner is innocent and has committed no offence. He has falsely been implicated in this case. He also submits that there is no specific allegation against the petitioner. He further submits that a statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent.

5. In contra, learned APP appearing for the State has opposed the prayer of bail of the petitioner and submits that from perusal of the order of the trial court, it transpires that the victim has given her statement under Section 183 of the BNSS and in her statement, she has stated that she when she was sleeping on the date of the alleged occurrence, at that time, her friend Sita Kumari woke her up and told her to come at door. When she came at the door, the petitioner kidnapped her by putting a cloth over her mouth and also sexually assaulted her after taking her to a room later on. There is direct allegation against the petitioner of kidnapping the minor daughter and that of sexually assaulting her.

6. Having heard learned counsel for the parties and in the facts and circumstances of the case as stated above, this Court is not inclined to enlarge the petitioner on bail.

7. Accordingly, the present anticipatory bail



application of the petitioner is hereby rejected.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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