

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47558 of 2025

Arising Out of PS. Case No.-536 Year-2024 Thana- SAMASTIPUR MUFFASIL District-
Samastipur

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Rajeev Kumar S/o Jinish Rai @ Ramjinish Ray R/o Village- Bhusari, PO And
PS- Mufassil, District- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Sanjay Sahini S/o Late Raghunath Sahini R/o vill - Dadhiya Krishnapur,
P.O. and P.S. - Mufassil, Dist.- Samastipur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Aditya Nath Pandey, Advocate Mr. Yeshoneel Ratnam, Advocate Ms. Aprajita Kumari, Advocate Ms. Neha Kumari, Advocate Mr. Abhay Kumar, Advocate
For the Opposite Party/s :		Mr. Chandra Bhushan Prasad, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 30-07-2025 1. Heard learned counsel for the petitioner and Mr.
Chandra Bhushan Prasad, learned A.P.P. for the State.

2. The petitioner apprehends his arrest in a case
registered for the offences punishable under Sections 115(2),
331(4), 76, 126(2), 303(2) and 3(5) of the BNS as well as
Sections 8 and 12 of the POCSO Act.

3. Learned counsel for the petitioner submits that
petitioner is a person with clean antecedent and the informant
alleges that Pawan Kumar, Agrawal Kumar, Ravi Kumar along
with petitioner entered his house and tried to commit rape with
his minor daughter aged about 13 years when the victim started



screaming, hence, the informant woke up and identified the accused persons who fled away after snatching cash and mobile.

4. Learned counsel for the petitioner submits that petitioner has been falsely implicated in the instant case by the informant. It is further submitted that allegation is of attempt. It is next submitted that it does not appear probable that four persons would have entered the house of the informant in the night for committing rape with a minor aged about 13 years. It is also submitted that petitioner had purchased a land adjacent to the land of the informant, as such, a dispute had arisen based on which he came to be implicated.

5. Mr. Chandra Bhushan Prasad, learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner and submits that no doubt allegation is not of rape but is of attempt. It is further submitted that no father would falsely try to implicate someone alleging that he tried acting inappropriately with his minor daughter. It is next submitted that though petitioner has taken a plea that he had purchased a land adjacent to the land of the informant which led to a dispute based on which he came to be implicated but then the necessary details with regard to purchase of the land and description of the land is not mentioned in the anticipatory bail application which casts an



aspersion on the plea of the petitioner.

6. Considering the submissions made by the learned A.P.P., the Court is not inclined to extend the privilege of anticipatory bail to the petitioner in connection with Samastipur Mufassil P.S. Case No. 536 of 2024 pending in the Court of learned Additional Sessions Judge-VI-cum-Special Court (POCSO), Samastipur/Successor Court.

7. Hence, the prayer for anticipatory bail is rejected.

(Satyavrat Verma, J)

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