

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47938 of 2025

Arising Out of PS. Case No.-772 Year-2023 Thana- NATHNAGAR District- Bhagalpur

Mukesh Kumar S/o Late Suresh Prasad Yadav R/o Village- Sahebganj, P.S.-
University, Dist.- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Basant Kumar Jain S/o Bishnu Kumar Jain R/o Village- C.T.S. Road
Marwari Patti, P.S.- Nathnagar, Dist.- Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate
For the Opposite Party/s : Mr. Binod Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 29-08-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. Petitioner seeks regular bail in connection with
Nathnagar (Lalmatiya) P. S. Case No. 772/2023 and Special
POCSO Case No. 223 of 2023 in a case registered for the
offences punishable under Sections 342, 354(A), 354(B), 506/34
of the Indian Penal Code, Sections 4, 6, 8 of the Protection of
Children from Sexual Offences Act and Section 75 of the
Juvenile Justice (Care and Protection of Children) Act.

3. As per the prosecution case, on 12.09.2023
informant's daughter had gone to school, where this petitioner,
along with co-accused Prince Yadav, committed rape upon her.



4. Learned counsel for the petitioner submits that petitioner is innocent and has committed no offence. As a matter of fact, petitioner is sports teacher of the victim and has falsely been implicated in this case due to school politics. F.I.R. has been lodged after inordinate delay of about twenty days which itself raises doubt over veracity of the prosecution case. Petitioner is in custody since 18.09.2023.

5. Learned A.P.P. for the State vehemently opposed the bail application and submitted that victim in her statement recorded under Section 164 Cr.P.C. has supported the prosecution case.

6. Considering the nature of accusation and statement of the victim recorded under Section 164 Cr.P.C., prayer for grant of regular bail of the petitioner is refused.

(Prabhat Kumar Singh, J)

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