

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49559 of 2025

Arising Out of PS. Case No.-5 Year-2025 Thana- MAHILA P.S. District- Nawada

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Amit Kumar S/o Ratan Das @ Ratan Kumar R/o Village - Stadium Road
Nawada, P.S. and Dist.- Nawada

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gudiya Kumari D/o Late Naresh Ravidas R/o Vill- Kanhai Nagar, P.S.-
Nawada, Distt- Nawada

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mrs. Vaishnavi Singh, Advocate Mr. Arjun Prasad, Advocate
For the Opposite Party/s	:	Mr. Gauri Shankar Gupta, APP
For the Informant	:	Mr. Pramod Kumar Verma, Advocate

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

ORAL ORDER

3 13-10-2025 Heard learned counsel for the petitioner, learned

APP for the State, learned counsel for the informant and perused

the case diary.

2. The petitioner seeks bail in connection with Mahila
(Nawada) P.S. Case No. 05 of 2025, instituted for the offences
punishable under Sections 65(1), 351(2), 352, 115(2), 3(5),
318(4) of the Bharatiya Nyaya Sanhita, 2023, read with Sections
4 and 6 of the POCSO Act.

3. The prosecution case, in short, is that on the pretext
of marriage and providing government job, the petitioner
established physical relation with the informant.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Learned counsel for the petitioner also submits that the allegation levelled against the petitioner is general and omnibus in nature. It is further submitted that the petitioner has falsely been implicated in the alleged case by the victim on instigation of her mother due to personal grudge with a view to pressurize the petitioner to get married with the victim. The victim has also refused for any medical examination. The petitioner is in custody since 20.03.2025 and has got no criminal antecedent.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner and submits that there is specific allegation against the petitioner of establishing physical relationship with the victim on the pretext of marriage and providing government job. It is further submitted that the victim has supported the prosecution case in her statement recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023. Hence, the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence,



this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected. The trial Court is directed to expedite the Trial.

(Rudra Prakash Mishra, J)

Rajorshi/-

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