

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52355 of 2025

Arising Out of PS. Case No.-20 Year-2025 Thana- BABURA District- Bhojpur

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Anil Kumar, aged about-22 years, S/O Krishna Ray Resident of Village-
Dhusariyan P.S.- Babura, Dist.- Bhojpur

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Upendra Mahto S/O Luruk Mahto Resident of Village- Dhusariyan P.S.-
Babura, Dist.- Bhojpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Manoj Kumar, Advocate

For the Opposite Party/s : Mr. Nagendra Prasad, APP

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

ORAL ORDER

4 16-10-2025 Heard learned counsel for the petitioner and

learned APP for the State.

2. Petitioner is in custody in a case registered for the
offences punishable under Sections 65(1) BNS and Section 6
POCSO Act.

3. As per allegation in the FIR, it is alleged that the
petitioner has committed rape upon the minor daughter of the
informant.

4. Learned counsel for the petitioner submits that
petitioner is innocent and has falsely been implicated in this
case. He next submits that the petitioner is tuition teacher of the
victim and the victim girl voluntarily went with the petitioner in



the govt. school in the evening and from perusal of the Statement of the victim recorded under Section 183 BNSS, she herself has admitted that firstly, she was going to meet the petitioner before the time of occurrence. He next submits that He submits that petitioner is in custody since 16.06.2025 and has got no criminal antecedent as stated in para-3 of the bail petition.

5. Learned APP for the State opposes the prayer for bail of the petitioner.

6. On perusal of the First Information Report, case diary along with Statement of the victim recorded under Section 183 of BNSS and impugned order dated 25.06.2025, it appears that the minor daughter of the informant has herself stated that the petitioner has committed rape upon her and after seeing her father he ran away. So, considering all facts and circumstances of the case submission of learned counsel of both the parties, I am not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for regular bail of the petitioner is hereby rejected.

(Ramesh Chand Malviya, J)

Harshita/-

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