

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51707 of 2025

Arising Out of PS. Case No.-39 Year-2025 Thana- Mohanpur District- Purnia

Angad Kumar Alias Angad Sharma Late Dhasrat Sarma Resident Athgama
wasa, Police Station -Alamnagar, District-Madhepura

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nisha Kumari W/o Kangres Sharma Resident of Village-Narayanpur Tola,
Kodra Ghat, Police Station -Ratbara, District-Madhepura

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar Jha

For the Opposite Party/s : Mr.Pushpa Sinha. 1

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 14-11-2025 Heard the parties.

2. The petitioner seeks bail in connection with Mohanpur
P.S. Case No. 39 of 2025 registered for the offence under Section
65 of the BNS and Sections 4/6 of the POCSO Act.

3. The petitioner is named in the F.I.R. and is in custody
since 23.04.2025.

4. As per FIR, petitioner alleged to commit penetrative
sexual assault/rape upon minor daughter of informant aged about
four years, while other family members were busy in attending
marriage ceremony.

5. Learned counsel appearing on behalf of the petitioner
submitted that petitioner falsely implicated with the present case
due to local disputes and differences. It is also submitted that



minor daughter of informant received injury due to falling in ditch and she was returned to her parents by this petitioner, which prima-facie suggests that allegation to commit penetrative sexual assault/rape appears false and concocted. While concluding the argument, it is submitted that petitioner is a man of clean antecedent and moreover, investigation of this case is completed, for which charge-sheet has been submitted, as such, there is no chance of tampering with the evidence.

6. Learned APP, while opposing the prayer of bail submitted that minor daughter of informant was taken by this petitioner and was returned after sometime. It is pointed out that submission *qua* receiving injury out of falling in ditch is not convincing as doctor of PMCH found sexual assault upon minor daughter of informant. It is submitted that after alleged sexual assault condition of minor daughter of informant deteriorated to the extent that she was referred to PMCH by Sadar Hospital. It is further submitted that blood stained clothes of petitioner was also seized and produced to police.

7. Considering the aforesaid factual submission and by taking note of fact as upon medical examination penetrative sexual assault/rape upon minor daughter of informant aged about four years appears affirmed, accordingly, the prayer for bail of the



petitioner is rejected herewith for the present.

8. However, learned Trial Court is directed to conclude the trial, preferably, within provisioned timeline under Section 35(2) of the POCSO Act from the date of receipt of this order.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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