

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51504 of 2025

Arising Out of PS. Case No.-61 Year-2024 Thana- GHURNA District- Araria

Manoj Kumar @ Manoj Ram S/O Bechan Ram Resident Of Village- Fakirna,
Police Station- Karjain, District- Supaul

... .. Petitioner/s

Versus

1. The State of Bihar
2. Lazina Khatoon W/O Salam Safi Resident Of Village- Babuan, Ward No. 05, Police Station- Ghurna, District- Araria

... .. Opposite Party/s

Appearance :

For the Petitioner : Mr. Mukesh Kumar Rana, Advocate
For the State : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 20-08-2025 Heard learned counsel appearing on behalf of the
petitioner and learned APP appearing on behalf of the State.

2. The petitioner apprehends his arrest in a case registered for the offence punishable under Sections 137(2), 87, 64 and 308(2) of the B.N.S. and Sections 3, 4 and 5 of the POCSO Act.

3. As per prosecution case, this petitioner, on the point of pistol, took minor daughter of informant to a room and committed rape. It is further alleged that this petitioner made obscene photographs and videos of the victim and threatened her not to disclose the incident to anyone.

4. It is submitted by learned counsel appearing on



behalf of the petitioner that petitioner is quite innocent and has committed no offence. Petitioner has falsely been implicated in this case with ulterior motive. The present F.I.R. has been lodged after inordinate delay of five days and there is no plausible explanation for the same. Petitioner claims clean antecedents.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of anticipatory bail to the petitioner and submitted that petitioner is named in the F.I.R. with specific accusation that on the point of pistol, he committed rape with the victim. The victim in her statement recorded under Section 183 of the B.N.S.S. has supported the prosecution case. During course of investigation, several witnesses have also supported the prosecution case.

6. Considering the facts and circumstances of the case, specific and direct nature of accusation and statement of the victim recorded under Section 183 of the B.N.S.S., the prayer for grant of anticipatory bail to the petitioner is rejected.

(Prabhat Kumar Singh, J)

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