

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.55417 of 2025

Arising Out of PS. Case No.-97 Year-2025 Thana- MESKAUR District- Nawada

Ghanshyam Kumar @ Dularchand S/o Raghu Chouhan Resident Of Village -
Maharagwan, Ps- Meskaur, District- Nawada

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Shabnam Kumari D/o Manohar Rajbanshi R/o vill - Mangodih, P.S.- Rajauli,
Distt.- Nawada

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sheo Kumar Prasad, Advocate
For the Opposite Party/s : Mrs.Usha Kumari 1, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

2 12-08-2025 Heard Mr. Sheo Kumar Prasad, learned counsel for
the petitioner and the State.

2. The petitioner is in judicial custody in connection with Meskaur P.S. Case No. 97 of 2025 for the offence punishable under Sections 70(2) of the Bhartiya Nayay Sanhita, 2023 and 4, 6 of the POCSO Act and 3(2)(v), 3(1)(w) of the SC/ST Act lodged on 13.05.2025 by the informant, Shabnam Kumari.

3. As per the prosecution story, the informant alleged that she was moving alongwith Rahul Kumar and Ankit Kumar. As fuel of the motorcycle came to an end, Ankit Kumar went to purchase fuel and they were waiting when the locals came, one boy caught hold of Rahul Kumar while other sexually assaulted her. It was now the turn of the second person who also did the



same thing while the other person caught hold of the Rahul Kumar. In the meantime, Nitish Kumar came, he caught hold of one boy, the two accuseds came to be known as Ghanshyam Kumar (petitioner herein) and Gurudeo Chauhan. This led to the FIR.

4. Learned counsel for the petitioner submits that the story is entirely different from what has been recorded in the FIR and the petitioner has been wrongly implicated in the case.

5. Learned APP, Mrs. Usha Kumari No.I submits that in the garb of moral policing, they sexually assaulted the girl. The informant side clearly identified the two accused and as such he does not deserve relief.

6. Taking into account the aforesaid facts as also that the case has been registered beside different section of the Bhartiya Nayay Sanhita, 2023 under POCSO Act, the allegation is grave, in that background, this Court is not inclined to extend him the privilege of bail which is accordingly rejected.

(Rajiv Roy, J)

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