

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57970 of 2025

Arising Out of PS. Case No.-26 Year-2024 Thana- MAHILA PS District- East Champaran

Prawez Alam @ Parwej Alam @ Parwez Alam S/o Sahjad Husain R/o Village
- Baraham Tola, P.S - Turkauliya, District - East Champaran

... .. Petitioner

Versus

1. The State of Bihar
2. Priya Goswami D/o Arun Kumar Giri R/o Village - Turkauliya, P.O -
Turkauliya, P.S - Turkauliya, District - East Champaran

... .. Opposite Parties

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar

For the Opposite Party/s : Mr. Aditya Narayan Singh.1

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

2 02-09-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Mahila P.S. Case No. 26/2024 dated 07.08.2024 registered for the offence punishable u/s 295A, 328, 376 and 506 read with Section 34 of the Indian Penal Code, Sections 4 and 6 of the POCSO Act and Section 66E of the I.T. Act.

3. As per the prosecution case, the petitioner is alleged to have committed rape on the victim by administering intoxicated substance and a video of the incident was recorded by the petitioner and his associates. Further, the petitioner asked



her to marry and to establish physical relationship with him after converting her religion. The victim denied to do so and therefore, the said video was made viral.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. The petitioner has no concern with the alleged occurrence. There is a delay of more than 3 ½ months in lodging the F.I.R. Learned counsel has submitted that there is no medical report on record to support the allegation of rape. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 25.06.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the victim is a minor girl. The victim in her statement recorded u/s 164 of the Cr.P.C. has supported the prosecution case. Earlier the anticipatory bail of the petitioner was rejected by the co-ordinate bench of this court vide order dated 12.05.2025 passed in Cr. Misc. No. 83252/2024.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of offence against the petitioner, this Court is not inclined to grant bail to the petitioner



and the same is rejected in connection with Mahila P.S. Case No. 26/2024, pending in the court of learned 6th District and Additional Sessions Judge-cum-Exclusive Special Judge, POCSO Act, East Champaran.

7. Learned court below is directed to conclude the trial of the petitioner at the earliest.

(Chandra Prakash Singh, J)

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