

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.60024 of 2025

Arising Out of PS. Case No.-44 Year-2025 Thana- BALIYA District- Begusarai

Prince kumar Late Chandra Kishore Singh R/o Village - Kamalpur, P.S. - Ballia, Ward no1., P.S. - Ballia, District - Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Hemlata Kumari @ Hemlata Devi D/o Bhushan Mahto R/o Village - Kamalpur, P.S - Ballia, Dist. - Begusarai.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Priyanshu Ranjan, Adv
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 12-11-2025 Heard the parties.

2. The accused/petitioner is named in the F.I.R. and apprehended his arrest in connection with Ballia P.S. Case No. 44 of 2025 registered for the offences punishable under Sections 65(1) and 3(5) of the BNS.

3. The allegation against the petitioner is to commit penetrative sexual assault upon informant aged about 14 years on 05.02.2025 at about 2:30 PM.

4. Learned counsel appearing on behalf of the petitioner submitted that petitioner is own cousin brother of the informant and was implicated due to family property dispute making informant instrumental. It is submitted that apprehending false implication an informatory petition under Section 39 of the



Cr.P.C./Section 33 of the BNSS was filed before learned CJM, Begusarai. It is also pointed out that complaint case was also lodged by petitioner's side against informant and her family members out of said enimical terms, present false case was lodged. While concluding the argument learned counsel submitted that petitioner is a man of clean antecedent.

5. Learned APP appearing on behalf of the State, while opposing the prayer for anticipatory bail submitted that occurrence took place on 05.02.2025 and thereafter immediately victim was examined on 07.02.2025 within 48 hours whereupon medical examination "*labia minora of victim found with small liner laceration split like reddish-pink in colour*", prima-facie suggesting that she was sexually assaulted as alleged. It is also pointed out that even upon radiological examination victim found less than 18 years, as her age was determined between 16-17 years.

6. Considering the aforesaid factual submission and by taking note of fact as medical report of victim appears supporting the allegation as raised against this petitioner, accordingly, the prayer for anticipatory bail of the petitioner stands rejected.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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