

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66045 of 2025

Arising Out of PS. Case No.-213 Year-2025 Thana- SONBERSA District- Sitamarhi

1. Shivam Kumar S/O Shaligram Pandit Resident of Village- Ghurghura, P.S.- Sonbarsa, District- Sitamarhi.
2. Dablu Kumar S/O Parmeshwar Pandit Resident of Village- Ghurghura, P.S.- Sonbarsa, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jaikal Devi W/O Lalbabu Thakur Resident of Village- Ghurghura, P.S.- Sonbarsa, District- Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Ranjeet Kumar Mishra, Adv. Mr. Ajay Kr. Tiwary, Adv.
For the Opposite Party/s	:	Mr. Pradeep Narain Kumar, APP
For the Informant	:	Mr. Sevendra Kumar, Adv.

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

4 01-12-2025 Heard the parties.

2.The petitioners are named in the F.I.R. and apprehending their arrest in connection with Sonbarsa P.S. Case No. 213 of 2025 registered for the offences punishable under Sections 65(1), 3(5) of BNS and u/s 4,6 of POCSO Act.

3. As per FIR, petitioners alongwith other co-accused persons sexually assaulted minor daughter of the informant aged about 14 years after taking her to nearby abandoned hut on



01.07.2025 at about 10:30 PM.

4. It is submitted by learned counsel appearing on behalf of the petitioners that alleged occurrence took place on 01.07.2025, whereas the present FIR was lodged on 16.07.2025 as a matter of afterthought. It is submitted that due to previous enmities the present case was lodged. It is pointed out that when the mother of the co-accused petitioner no. 2 lodged a case against informant and her family, the present false case was lodged on very next day i.e., on 16.07.2025. While concluding arguments, it is submitted that above named petitioners are men of clean antecedent.

5. Learned APP duly assisted by learned counsel for the informant while opposing the prayer of bail submitted that allegation is specifically available against these two petitioners. It is submitted that upon medical examination which took place after 15 days a small amount of blood was noticed around private part. It is also pointed out that this fact appears corroborated with the version of informant for the reason that



she also noticed injury on head of her daughter/victim and also on different body parts. This fact also appears supported by victim while recording her statement under Section 183 of BNSS.

6. In view of aforesaid factual submission and by taking note of fact as specific allegation as raised against both above-named petitioners qua sexual assault which appears duly supported by victim while recording her statement under Section 183 of BNSS and also with medical report, accordingly, the prayer of anticipatory bail of both above-named petitioners stands **rejected** for the present.

7. Presence of IO is dispensed with.

(Chandra Shekhar Jha, J)

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