

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68725 of 2025

Arising Out of PS. Case No.-421 Year-2025 Thana- AMARPUR District- Banka

Dilkhush Thakur @ Dilkhush Kumar Thakur S/O Pappu Thakur R/O Vill.-
Lalwamore, P.S.- Fullidumar, Dist.- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Anita Devi W/O Dev Thakur R/O Vill.- Amarpur Ward no. 7, P.S.- Amarpur,
Dist.- Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhir Kumar Mishra, Advocate
For the Opposite Party/s : Mrs. Renu Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 02-12-2025 Heard Mr. Sudhir Kumar Mishra, learned counsel for

the petitioner and Mrs. Renu Kumari, learned APP for the State.

Perused the case diary.

2. The petitioner seeks bail in connection with
Amarpur P.S. Case No. 421 of 2025 instituted for the offences
under Sections 96, 351(2) of the Bharatiya Nyaya Sanhita, 2023
and Section 4 of the POCSO Act.

3. Allegation against the accused persons including the
petitioner is of commission of rape upon the informant's minor
daughter.

4. Learned counsel for the petitioner submitted that the
petitioner is innocent and has falsely been implicated in the



present case. Learned counsel further submitted that, as a matter of fact, the petitioner never forced victim to establish physical relations and it is case of consensual relationship. It has been submitted on behalf of the petitioner that the petitioner is in custody since 11.06.2025 and has no criminal antecedent.

5. Learned A.P.P. for the State vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that victim in her statement recorded under Section 183 of the BNSS has corroborated the contents of the FIR, and therefore, the petitioner does not deserve to be released on bail.

6. Considering the aforesaid facts and circumstances of the case as also Section 183 of the BNSS statement of the victim, this Court is not inclined to grant bail to the petitioner at this stage.

7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

(Rudra Prakash Mishra, J)

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