

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68812 of 2025

Arising Out of PS. Case No.-293 Year-2025 Thana- BATHNAHA District- Sitamarhi

Prince Kumar S/O Omprakash Ray @ Omprakash Rai Resident of Village
and Post- Naraha, P.S- Bathnaha, District- Sitamarhi.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Victim (XYZ) D/O Vinay Kumar Ray @ Vinay Kumar Yadav R/O Village
and Post- Naraha, P.S- Bathnaha, Distt.- Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Adv

For the Opposite Party/s : Mr. Pradeep Narain Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 18-11-2025 Heard the parties.

2.The accused/petitioner is named in the F.I.R. and
apprehending his arrest in connection with Bathnaha P.S. Case No.
293 of 2025 registered for the offences punishable under Sections
64 and 3(5) of the BNS and Sections 4 and 6 of the POCSO Act.

3. As per FIR, petitioner alleged to establish physical
relation ship on false pretext of marriage with informant aged
about 17 years and further refused to marry her and also made
her naked video viral on social media platform.

4. Learned counsel appearing on behalf of the petitioner
while arguing drawn attention of this Court towards para no. 26 of
the case diary, where statement of victim appears recorded during



investigation under Section 183 of the BNSS, wherein she completely negated the intention of kidnapping and physical relationship. The attention of this Court was also drawn towards statement of victim and her mother as recorded under Section 180 of the BNSS during investigation, where both of them completely denied allegation of physical relationship/rape. It is pointed out that the informant lodged this case with allegation of penetrative sexual assault/rape out of fear that petitioner might commit rape upon her. While concluding argument, it is submitted that above named petitioner is a man of clean antecedent.

5. Learned APP opposes the prayer of bail.

6. In view of aforesaid factual submission and by taking note of fact as victim and her mother completely negated allegation of rape/physical relationship during investigation contrary to FIR, accordingly petitioner above-named, in the event of his arrest or surrender before the court below within a period of four weeks, is directed to be released on bail, furnishing bail bond of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of the learned District and Additional Sessions Judge-IV-cum-Special Judge (Rape & POCSO), Sitamarhi/concerned Court, where the case is pending in connection with Bathnaha P.S. Case No. 293 of 2025, subject to



the conditions as laid down under Section 438(2) of the Cr.P.C/
Section 482(2) of BNSS.

(Chandra Shekhar Jha, J.)

S.Tripathi/-

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