

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79804 of 2025

Arising Out of PS. Case No.-544 Year-2024 Thana- MOTIHARI MUFASIL District- East
Champaran

Vinay Kumar S/o- Bhabhikhan Mahto R/v- Dhekaha Bazar Laxaman Tola Ps-
Muffasil District- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mrs. X D/o- Y R/v- Dhekaha Bazar Laxaman Tola Ps- Muffasil District-
East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Rajesh Kumar, Adv.
For the State	:	Mr.Shailendra Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE NAWNEET KUMAR
PANDEY**

ORAL ORDER

3 22-12-2025 Heard learned counsel for the petitioner as well as the
learned APP for the State.

2. The petitioner apprehends his arrest in connection with
Muffasil P.S. Case No. 544 of 2024, registered for the offences
punishable under Sections 65(1), 3(5) of the BNS and Sections 4 and
6 of the POCSO Act.

3. The prosecution case is that on 01.11.2024, the
informant, who is a minor, was going to *Motihari* with the petitioner.
In the way, the petitioner along with other co-accused persons
committed rape upon her and also made her videograph.

4. The learned counsel for the petitioner has submitted
that the petitioner is innocent and has falsely been implicated in this
case. The FIR shows that the victim did not raise hue and cry, which
shows that the relationship between the victim and the petitioner was



consensual.

5. The school certificate shows the date of birth of the victim as 15.08.2010. On the date of occurrence, the victim was less than 14 years of age.

6. In my view, the petitioner does not deserve the privilege of bail, which is hereby *rejected*.

(Nawneet Kumar Pandey, J)

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