

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.83252 of 2024

Arising Out of PS. Case No.-26 Year-2024 Thana- MAHILA PS District- East Champaran

Prawez Alam @ Parvej Alam @ Parwez Alam son of Shajad Husain Village
-Brham Tola, Turkauliya PS -Turkauliya Distt -East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Priya Goswami Daughter of Arun Kumar Giri Village, po and PS-
Turkauliya, Dist- East champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Rakesh Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 12-05-2025 Heard learned Counsel for the petitioner and learned
APP for the State.

2. The petitioner is apprehending arrest in connection with Motihari Mahila P.S. Case No. 26/2024 registered on 07.08.2024 for the offenses punishable under Sections 295(A), 328, 376, 506/34 of the Indian Penal Code and Sections 4 & 6 of the Protection Of Children From Sexual Offences Act, 2012 and Section 66(E) of the I.T. Act.

3. As per the prosecution, the victim was subjected to rape, and a video of the incident was recorded by the accused and his associates, which was subsequently made viral.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has not committed any offence. It is further submitted that the F.I.R. has been lodged with an unexplained delay of three months, which casts doubt on the prosecution's case. Learned counsel also submits that on earlier occasions, the statement of the victim recorded under Section 164 of the Cr.P.C. had been called for by the Court.

5. Learned APP for the State vehemently opposes the prayer for bail and submits that upon perusal of the victim's statement recorded under Section 164 of the Cr.P.C., it appears that she has categorically supported the allegations made in the F.I.R.

6. In this background, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for bail of the petitioner in connection with Motihari Mahila P.S. Case No. 26/2024, pending before the learned 6th Additional Sessions Judge-cum-Exclusive Special Judge, POCSO, Act, East Champaran, Motihari, is hereby rejected.

(Dr. Anshuman, J)

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