

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79716 of 2025

Arising Out of PS. Case No.-104 Year-2025 Thana- LAHERIYASARAI District- Darbhanga

Ashish Karan @ Ashish Karn @ Ashish Kumar @ Yash Raj S/o Akhilesh
Kumar Karn @ Akhilesh Karn Resident of Village- Athar, Near Ram Mandir,
P.S. Laheriyasari, District- Darbhanga Petitioner/s
Versus

1. The State of Bihar
2. Priya Raj D/o Kailash Kumar Mishra R/o Khajasarai, P.s.- Laheriyasari,
Distt.- Darbhanga Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhubneshwar Mahto, Adv
For the Opposite Party/s : Dr. Ajeet Kumar, APP

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

3 08-12-2025 Heard the parties.

2. The accused/petitioner is named in the F.I.R. and apprehending his arrest in connection with Laheriyasari P.S. Case No. 104 of 2025 registered for the offences punishable under Section 376 of the Indian Penal Code and Section 4 of the POCSO Act.

3. The allegation against the petitioner is to establish physical relation with minor sister of informant, while she was 13 years old, thereafter regularly threatened her from different mobile numbers to resume relationship.

4. Learned counsel appearing on behalf of the petitioner submitted that for the occurrence which alleged to be taken place in the year 2017, FIR in issue was lodged in years 2025 making 17.02.2025 as an



imaginary date of threat just before attaining majority. It is also submitted that victim herself stated while recording her statement under Section 183 of the BNSS that she was in relationship with petitioner and established physical relationship with petitioner out of her own sweet will, which has also been mentioned in para no. 40 of the case diary. While concluding the argument learned counsel submitted that petitioner is a man of clean antecedent.

5. Learned APP, while opposing the prayer for anticipatory bail submitted that victim pecifically stated in her statement as recorded under Section 183 of the BNSS that this petitioner established physical relationship with her in the year 2017 and, thereafter he is regularly disturbing her particularly when she shifted to Kolkata as to resume relationship.

6. Considering the aforesaid factual submission and by taking note of specific allegation of victim as raised through her statement under Section 183 of the BNSS as to establish physical relation with her when she was minor just about 13 years of age, accordingly, the prayer for anticipatory bail of the petitioner stands rejected herewith.



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(Chandra Shekhar Jha, J.)

