

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86544 of 2024**

Arising Out of PS. Case No.-73 Year-2024 Thana- BALIA BELON District- Katihar

Md Mushabbir Alam @ Md Musabbir Alam @ Md Mushawir Alam S/O
Gholam Mustafa R/O Kasbatoli, P.S.- Balia Belone, District- Katihar, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nikhat Khatoon W/O Mojibul Haque R/O Kasbatoli, P.S.- Balia Belone, District- Katihar, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : None
For the State : Mr. J.N. Thakur, APP
For the Informant : Mr. Bimal Kumar, Advocate

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

ORAL ORDER

6 21-08-2025 No one appears on behalf of the petitioner. However, learned counsel for the informant as well as learned APP for the State are in appearance.

2. The petitioner apprehends his arrest in connection with Balia Belone P.S. Case No. 73 of 2024, registered for the offences punishable under Section 376 of the Indian Penal Code and Section 4 of the POCSO Act.

3. As per allegation, the petitioner is said to have committed rape upon the minor daughter of the informant on the false pretext of marriage due to which she became pregnant.

4. Learned APP for the State and learned counsel for the informant have submitted that the present case has been registered under POCSO Act. It is further submitted that the victim is a minor



girl and her statement under Section 183 of the BNSS was recorded in which she has supported the allegation against the petitioner.

5. Considering the above-mentioned facts and circumstances, I am not inclined to grant privilege of anticipatory bail to the petitioner.

6. Accordingly, this application stands rejected.

(Nawneet Kumar Pandey, J)

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