

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86446 of 2024

Arising Out of PS. Case No.-624 Year-2024 Thana- MAHUA District- Vaishali

Nitesh Kumar S/O Jang Bahadur Ray R/O Village- Bakarpur, Bilandpur, P.S- Mahua, Distt.- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sneha Kumari D/O Ram Lalit Ray R/O Village- Chainpur Chaupar, P.S- Mahua, Distt.- Vaishali.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash Sinha
For the State : Mr.Umanath Mishra
For Opposite Party No. 2: Mr. Ranjit Kumar Thakur

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

- 3 08-05-2025
1. Heard learned Counsel for the petitioner, learned Counsel for the informant-Opposite Party No. 2 and learned Additional Public Prosecutor for the State.
 2. This application, for grant of anticipatory bail, arises out of Mahua Police Station Case No. 624 of 2024, dated 21.07.2024, disclosing offences punishable under Sections 64 of the Bhartiya Nyaya Sanhita, 2023 and Sections 4/6 of the Prevention of Children from Sexual Offences Act, 2012.
 3. The prosecution case, as per the First Information Report, is that in the night of 19.07.2024, while the informant alone in her house and was sleeping, the petitioner



entered into her house and committed rape upon her.

4. Learned Counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case due to previous enmity and land dispute. He further submits that the petitioner and the informant are relatives and they live in the same premises. He further submits that the medical examination of the informant was done and the doctor has opined her age between 16 and 17 years and the doctor also did not find any sign of rape.
5. On the other hand, learned Counsel for the informant- Opposite Party No. 2 vehemently opposes the prayer for anticipatory bail and submits that there is direct allegation of rape against the petitioner and the informant, in her statement, recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023, has fully supported the prosecution case.
6. Regards being had to the submissions advanced on behalf of the parties and taking into consideration the fact that there is direct allegation against the petitioner of committing rape upon the informant and the informant, in her statement, recorded under Section 183 of the



Bharatiya Nagarik Suraksha Sanhita, 2023, has fully supported the prosecution case, I am not inclined to grant the petitioner privilege of anticipatory bail.

7. This application is, accordingly, dismissed

(Anil Kumar Sinha, J.)

Prabhakar Anand/-

U	✓	T	✓
---	---	---	---

