

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3621 of 2026

Arising Out of PS. Case No.-362 Year-2025 Thana- AMAUR District- Purnia

Shahbaz Alam S/o Ibrahim Resident of Belka, PS- Amour, District- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXX D/o YYY R/o Belka, P.S.- Amour, Distt.- Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Md Fazle Karim, Advocate
For the Informant	:	Mr. Vikram Singh, Advocate
For the State	:	Mr. Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 09-04-2026 Heard Mr. Md Fazle Karim, learned counsel for the petitioner, Mr. Vikram Singh, learned counsel for the Informant and Mr. Anil Kumar, learned APP for the State.

2. Petitioner seeks bail, who is in custody since 19.08.2025, in connection with Amour P.S. Case No. 362 of 2025, F.I.R. dated 19.08.2025 registered for the offences punishable under Sections 127(2), 70(2), 3(5) of the B.N.S., 2023 and Section 4 and 6 of the POCSO Act.

3. Allegation against the petitioner is that he along with other co-accused persons have committed rape upon the victim.

4. Learned counsel for the petitioner submits that



the petitioner has clean antecedent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R.

5. Learned counsel for the Informant and learned APP for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner and submits that from perusal of the F.I.R. it appears that the petitioner is named in the F.I.R. and there is direct and specific allegation that he along with other co-accused persons have committed rape upon the victim and the statement of the victim was recorded under Section 183 of the B.N.S.S. in which she has fully supported the case of the prosecution and apart from that the medical report of the victim also suggests that she has sexually assaulted by the petitioner and other co-accused persons and she has been admitted in Hospital more than seven days for her treatment.

6. Considering the nature of allegation supported by the victim in her statement recorded under Section 183 of the B.N.S.S. as well as medical report of the victim, I am not inclined to enlarge the petitioner on bail in connection with Amour P.S. Case No. 362 of 2025 pending in the Court of learned Additional Sessions Judge-VII-cum-Special Judge



(POCSO), Purnea.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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