

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.5153 of 2026

Arising Out of PS. Case No.-62 Year-2025 Thana- MAHILA P.S. District- Sitamarhi

1. Niraj Baitha @ Niraj Kumar Son of Naresh Baitha Resident of Village- Kamaldah, Korigama Tola Ward No. 05, P.S. -Bathnaha, District- Sitamarhi,
2. Jitendra Mahto @ Jitendra Kumar Son of Bhola Mahto Resident of Village- Kamaldah, Korigama Tola Ward No. 05, P.S. -Bathnaha, District- Sitamarhi,
3. Harishankar Mahto @ Harishankar Kumar son of Harinarayan Mahto Resident of Village- Kamaldah, Korigama Tola Ward No. 05, P.S. -Bathnaha, District- Sitamarhi,
4. Rama Ram @ Ramchandra Kumar son of Chandeshwar Ram Resident of Village- Kamaldah, Korigama Tola Ward No. 05, P.S. -Bathnaha, District- Sitamarhi,

... .. Petitioner/s

Versus

1. The State of Bihar
2. XYZ Daughter of ZZ Resident of Village- Kamaldah, Korigama Tola Ward No. 05, P.S. -Bathnaha, District- Sitamarhi,

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Birendra Kumar, Advocate
For the Opposite Party/s : Mr. Amitesh Kumar, A.P.P.

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-02-2026 Heard learned counsel for the petitioners and the State.

2. Petitioners apprehend arrest in Sitamarhi Mahila P. S. Case No. 62 of 2025 registered for the offences punishable under Sections 70(2), 351(3) of the Bharatiya Nyaya Sanhita, Section 4 of the Protection of Children from Sexual Offences Act and Sections 3(2)(v) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act.



3. As per F.I.R., these petitioners are alleged to have committed gang rape with the informant. Victim in her statement recorded under Section 183 BNSS has supported the prosecution case.

4. Considering the nature of accusation, gravity of the offence and statement of the victim recorded under Section 183 BNSS, prayer for anticipatory bail of the petitioners is refused.

(Prabhat Kumar Singh, J)

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