

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.5492 of 2026**

Arising Out of PS. Case No.-56 Year-2025 Thana- GAMAHARIYA District- Madhepura

Saurabh Kumar @ Saurab Kumar S/o- Mishrilal Sharma @ Munilal Sharma  
R/v- Jiwachhpur Ps- Muffasil Gamharia Dist- Madhepura

... .. Petitioner

Versus

The State of Bihar

... .. Opposite Party

**Appearance :**

For the Petitioner/s : Pooja Prasad, Advocate

For the Opposite Party/s : Mr.Pawan Kumar Chaurasia, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH**  
**ORAL ORDER**

2      04-02-2026                      Heard learned counsel for the parties.

2. Petitioner apprehends arrest in a case registered for the offence punishable under sections 96 and 3(5) of the Bharatiya Nyaya Sanhita, 2023.

3. As per prosecution case, petitioner and his associates kidnapped 15 years old minor daughter of informant. Thereafter, petitioner committed rape with her.

4. Learned counsel appearing for the petitioner submits that there is no eye witness to the occurrence. F.I.R. has been lodged after delay of five days without any explanation which renders the entire prosecution case doubtful. the petitioner is innocent and has falsely been implicated in this case. Petitioner claims clean antecedent.

5. Learned counsel for the State opposes the prayer for bail. The victim in her statement recorded under section 183



Bharatiya Nagarik Suraksha Sanhita, 2023 has supported the allegation against the petitioner.

6. Considering the nature and gravity of accusation and section 183 BNSS statement of the victim, prayer for bail of the petitioner is rejected.

**(Prabhat Kumar Singh, J)**

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