

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7368 of 2026

Arising Out of PS. Case No.-450 Year-2025 Thana- AMAUR District- Purnia

Md. Margub @ Md. Marguf Son of Md. Yakub Resident of village -
Murajpur, Masjid Kachi Road, Buari, P.S.- Dagarua, District - Purnea
... .. Petitioner/s

Versus

1. The State of Bihar
2. XX Daughter of Md. Mukhtar R/o village - Pothia Ward No.- 6, P.S.-
Amour, District - Purnea.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sumit Kumar Bhagat, Adv
	:	Mr. Kamlesh Kumar Pathak, Adv
	:	Mrs. Suman Kumari, Adv
For the Opposite Party/s	:	Mr. Navin Kr. Pandey, APP
For the Informant	:	Mr. Bijendra Kr. Singh, Adv
	:	Mr. Aniket Singh, Adv

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

2 18-03-2026 Heard the parties.

2. The accused/petitioner is named in the F.I.R. and apprehended his arrest in connection with Amour P.S. Case No. 450 of 2025 registered for the offences punishable under Sections 64, 126(2), 115(2), 303(2) and 3(5) of the BNS and Sections 4 and 6 of the POCSO Act.

3. The allegation against the petitioner is to commit penetrative sexual assault/rape upon informant aged about 15 years when she went outside to attend nature's call on 10.10.2025 at 10:00 PM.

4. Learned counsel appearing on behalf of the



petitioner submitted that due to neighborhood disputes and differences, petitioner falsely implicated with the present case. It is pointed out that victim upon radiological examination found between the age group of 16-18 years and further no incriminating material surfaced during the course of medical examination, which may suggest that rape/penetrative sexual assault was committed upon her. While concluding the argument it is submitted that petitioner is a man of clean antecedent.

5. Learned APP duly assisted by learned counsel for the informant, while opposing the prayer for anticipatory bail submitted that allegation of committing rape/penetrative sexual assault upon informant aged about 15 years is specifically available against this petitioner. Victim also supported this fact while recording her statement under Section 183 of the BNSS.

6. In view of the facts and circumstances and by taking note of the fact as allegation of rape/penetrative sexual assault is specifically available against petitioner, accordingly prayer of anticipatory bail of petitioner stands rejected.

(Chandra Shekhar Jha, J)

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