

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13858 of 2026

Arising Out of PS. Case No.-75 Year-2025 Thana- DANDARI District- Begusarai

Md. Kalam Son of Md. Rizwan Resident of Village - Katahri Ward no. 06,
P.S. - Dandari, District - Begusarai.

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. XXX D/o Md. Salim village-katahri, ward no-6, PS-Dandari, Dist-Begusarai

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Fahad Khurshid, Advocate
For the Opposite Party/s	:	Mr. Jagdhar Prasad, APP
For the Informant	:	Mr. Sunil Kumar Yadav, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

3 14-07-2026 Heard learned counsel for the petitioner, learned APP for the State, learned counsel for the informant and perused the case diary.

2. The petitioner seeks bail in connection with Dandari P.S. Case No. 75 of 2025, instituted for the offences punishable under Section 64(1) of the Bharatiya Nyaya Sanhita, 2023, read with Section 4, 6 and 8 of the POCSO Act.

3. The prosecution case, in short, is that the petitioner has committed rape upon the minor daughter of the informant at his residence and fled away.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Learned counsel for the petitioner also submits that the petitioner is the uncle of the victim girl. It is further submitted that due to land dispute, the petitioner has been implicated in this case. The petitioner is in custody since 14.06.2025 and has got no criminal antecedent.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner and submitted that there is specific allegation of kidnapping and committing rape upon informant's minor daughter against the petitioner. It is next submitted that the victim has supported the prosecution case in her statement made under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023. It is further submitted that on perusal of the medical report of the victim, it transpires that evidence of genital assault was found on victim. Hence, the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.



7. The prayer is rejected. The trial Court is directed to expedite the Trial.

(Rudra Prakash Mishra, J)

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