

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16618 of 2026

Arising Out of PS. Case No.-117 Year-2025 Thana- Sarbahada District- Gaya

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Anil Yadav @ Anil Kumar Son of Ramlakhan Prasad @ Ram Lakhan Prasad
Yadav R/o Village - Lachhu Bigha, P.S.- Sarbahada, District - Gaya ji.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ms. YYY Wife of XXX R/o Village - Khukhri Tola, Prem Bigha, P.O. -
Khukari, P.S. and Dist. - Gayaji.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. Durgesh Nandan, Advocate
For the Informant	:	Mr. Braj Kishore Singh, Advocate
For the State	:	Mr. Binay Krishna, Spl. P.P.

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 16-03-2026 Heard Mr. Durgesh Nandan, learned counsel for the

petitioner, Mr. Braj Kishore Singh, learned counsel for the

Informant and Mr. Binay Krishna, learned Spl. P.P. for the State.

2. Petitioner seeks bail, who is in custody since
26.09.2025, in connection with Sarbahada P.S. Case No. 117 of
2025, F.I.R. dated 24.09.2025 registered for the offences
punishable under Sections 126(2), 74, 352, 351(2) of the B.N.S.,
2023 and Section 3(1)(r)(s) of the SC/ST Act and Sections 8/12
of the POCSO Act, 2012.

3. Allegation against the petitioner is that he has
tried to commit rape upon the victim.

4. Learned counsel for the petitioner 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. In fact, the petitioner had given the loan of Rs. 15,000/- three years ago to the family of the informant so he has lodged the false case against the petitioner. He further submits that the date of occurrence as alleged in the F.I.R. is 20.09.2025 but the present F.I.R. was instituted after delay of four days without giving any explanation of delay.

5. Learned counsel for the Informant as well as learned APP for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner and submits that the petitioner was apprehended in compromising position with the daughter of the informant and apart from the aforesaid the statement of the victim was recorded under Section 164 of the Cr. P.C./183 of the B.N.S.S. in which she has fully supported the case of the prosecution and the date of birth of the victim is 24.08.2013 which suggests that the victim is only 12 years of old at the time of occurrence.

6. Considering the aforesaid facts and circumstances of the case and there is specific and direct allegation against the petitioner, I am not inclined to enlarge the petitioner on bail in connection with Sarbahada P.S. Case No. 117 of 2025 pending



in the Court of learned exclusive Special Judge, POCSO-cum-
Additional Sessions Judge-VIIth, Gaya Ji.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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