

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12236 of 2026

Arising Out of PS. Case No.-194 Year-2025 Thana- DHARHARA District- Munger

Chhotu Kumar, Son of Manna Kora, R/o Village - Kali Asthan Barmasiya,
P.S. - Dharhara, District - Munger.

... .. Petitioner/s

Versus

1. The State of Bihar
2. X Wife of Y At present R/o Village- Kali Asthan, Barmasiya, P.S.- Dharhara,
Dist. - Munger.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Avinash, Advocate Mr. Ratneshwar Prasad, Advocate Mr. Anmol Ratan, Advocate Mr. Manoj Kumar, Advocate
For the Opposite Party/s	:	Mr. Uma Shankar Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

5 08-07-2026 Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Dharhara P.S. Case no.194 of 2025 registered under sections 65 of the Bharatiya Nyaya Sanhita, 2023 and section 4 of the POCSO Act.

3. As per the prosecution case, the informant states that the petitioner committed rape on his 16 year old minor daughter.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. No such occurrence as alleged in the F.I.R. has taken place. In fact, the



victim herself in her statement under section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023 has categorically stated that no rape was committed by the petitioner on her. Further she refused to undergo medical examination. The petitioner is in custody since 21.11.2025 and has no criminal antecedent.

5. The prayer for bail is opposed by learned A.P.P. for the State who submits that though the victim has not supported the allegation of rape made in the F.I.R., in her statement recorded under section 183 of the B.N.S.S., 2023, however she has categorically stated therein that the petitioner stripped her clothes, took objectionable photographs and made the same viral. He had also forced himself upon her.

6. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner, the material that has transpired in course of investigation and especially the contents of the statement of victim recorded under section 183 of the B.N.S.S., 2023, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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