

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.14962 of 2026

Arising Out of PS. Case No.-213 Year-2025 Thana- SONBERSA District- Sitamarhi

Dablu Kumar S/O Parmeshwar Pandit Resident Of Village- Ghughura, P.S.-
Sonbarsa, Dist.- Sitamarhi

... .. Petitioner/s

Versus

1. The State Of Bihar
2. XX W/O YY Resident Of Village- Ghughura, P.S.- Sonbarsa, Dist.-
Sitamarhi

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Sanjay Kumar, Adv
	:	Mr.Mahendra Thakur, Adv
For the Opposite Party/s	:	Mr.Rajendra Singh, APP
For the Informant	:	Mr.Devendra Kumar, Adv

CORAM: HONOURABLE MR. JUSTICE PRAVEEN KUMAR
ORAL ORDER

5 11-05-2026 Heard learned counsel for the petitioner and learned
A.P.P for the State as well as learned counsel for the O.P. no 2.

2. The petitioner has preferred this application for grant of regular bail in connection with Sonbarsa P.S. Case No. 213 of 2025 registered for the offences punishable under Sections 65(1), 3(5) of the B.N.S and section 4/6 of the POCSO Act.

3. As per the prosecution case, it has been alleged that on 01.07.2025 at about 10:00 P.M., petitioner and co-accused Shivam Kumar forcibly took the informant's minor daughter to the house of co-accused Shivam Kumar, and committed rape upon her and threatened with dire consequences.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Learned counsel for the petitioner has submitted that there is a delay of 15 days in lodging the FIR. It has further been submitted that the present case is nothing but counterblast and to save the skin and put pressure upon the petitioner. It has further been submitted that the victim was on the verge of majority, as she was aged about 16 to 18 years. Mother of the petitioner has filed a case bearing Sonbarsa P.S. Case No. 210 of 2025 for the offences punishable under Section 126(2), 115, 117, 74, 303(2), 352, 351(2), 3(5) against the prosecution party and it has further been submitted that the said case was filed on 15.07.2025 and on the next date the present case came to be lodged. It has further been submitted referring to 183 BNSS statement that the petitioner and co-accused Shivam Kumar as well as the victim were apprehended from the hut by the local people, wherein the offence was allegedly been committed with the victim but no FIR was lodged for more than 15 days which casts a serious doubt on the bonafide of accusations levelled. It has further been submitted that there is no medical evidence to suggest allegation of rape. It has further been submitted that statement of victim does not inspire confidence, chargesheet has been submitted,



and there is no allegation of tampering against the petitioner. It has lastly been submitted that the petitioner has got no criminal antecedent and is in custody since 21.01.2026

5. Learned APP for the State as well as learned counsel for the O.P. No. 2 has vehemently opposed the prayer for bail of the petitioner and submitted that there is direct allegation of rape against the petitioner.

6. Considering the aforesaid submissions of the parties and taking into account the facts and circumstance of the case, let the petitioner above-named, be enlarged on bail on furnishing bail-bonds of Rs. 10,000/- (Rupees Ten Thousand) with two sureties of the like amount each to the satisfaction of learned Court concerned, in connection with Sonbarsa P.S. Case No. 213 of 2025.

7. The application stands allowed.

(Praveen Kumar, J)

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