

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16591 of 2026

Arising Out of PS. Case No.-831 Year-2025 Thana- AMARPUR District- Banka

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Prem Kumar Son of Mahendra Mandal @ Mahendra Kapri R/o Village -
Uchchdiha, P.S. - Dhoraiya, District - Banka.

... .. Petitioner/s

Versus

1. The State of Bihar
2. X Wife of Z R/o Village - Pawai, P.S. - Amarpur, Dist. - Banka.

... .. Opposite Party/s

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Appearance :

For the Petitioner	:	Mr. Brij Nandan Prasad, Advocate
For the State	:	Mr. Aditya Narayan Singh-1, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

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

petitioner, and Mr. Aditya Narayan Singh-1, learned APP for the

State.

2. Petitioner seeks bail, who is in custody since

11.01.2026, in connection with Amarpur P.S. Case No. 831 of

2025, F.I.R. dated 19.11.2025 registered for the offences

punishable under Section 87 of the B.N.S., 2023 and later on

Chargesheet has been submitted against the petitioner under

Sections 64 of B.N.S., 2023 and Section 4 and 6 of the POCSO

Act.

3. Allegation against the petitioner is that he has

committed rape upon the informant's minor daughter due to which

she got pregnant.

4. Learned counsel for the petitioner submits that the



petitioner has clean antecedent and he has been falsely implicated in the present case. He further 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.

5. Learned APP for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner and submits that the victim was recovered and her statement 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 as per medical report which was recorded in paragraph-19 of the case diary that the victim is seven months pregnant which suggests that the victim has been sexually assaulted by the petitioner.

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 Amarpur P.S. Case No. 831 of 2025 pending in the Court of learned Additional Sessions Judge-6-cum-Special Judge, POCSO, Banka.

7. Prayer is refused.

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(Rajesh Kumar Verma, J)

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