

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20429 of 2026

Arising Out of PS. Case No.-459 Year-2025 Thana- GAUTAMBUDHNAGAR District-
Siwan

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Daroga Bhagat S/o- Late Ram Pyare Bhagat Resident of Village and Post -
Gohpur, Bajrahiya, P.S. - G.B. Nagar, District - Siwan

... .. Petitioner/s

Versus

1. The State of Bihar
2. X W/o- Y Resident of Village and Post - Gohpur, Bajrahiya, P.S. - G.B.
Nagar, District - Siwan

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijay Prakash Singh, Advocate

For the Opposite Party/s : Mr. Nirmal Kumar Sinha, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 26-03-2026 Heard Mr. Bijay Prakash Singh, learned counsel

for the petitioner and Mr. Nirmal Kumar Sinha, learned A.P.P.

for the State.

2. The petitioner seeks bail, who is in custody since
08.10.2025 in connection with G.B. Nagar P.S. Case No. 459 of
2025, FIR dated 06.10.2025 registered for the offence under
Section 75(2) of the Bharatiya Nyay Sanhita, 2023 and Sections
7,8 of POCSO Act.

3. Allegation against the petitioner is that he
committed sexual intercourse with the minor daughter of the
informant aged about 6 years.

4. Learned counsel appearing for the petitioner



submits that the petitioner has clean antecedent and he has falsely been implicated in this 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 offences as alleged in the F.I.R and the petitioner is rotting in judicial custody since 08.10.2025.

5. Learned A.P.P. for the State, on the other hand, have vehemently opposed the prayer for bail of the petitioner and submits that petitioner has committed very heinous crime of committing rape upon the victim who is only six years old and statement of the victim was recorded under Section 183 BNSS in which she has fully supported the case of the prosecution and apart from that medical report of the victim also support the allegation alleged in the FIR.

6. Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail in connection with Exclusive Court, POCSO, Siwan pending in the Court of G.B. Nagar P.S. Case No. 459 of 2025,.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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