

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20692 of 2026

Arising Out of PS. Case No.-46 Year-2025 Thana- MAHILA P.S District- Supaul

Md Maqbool @ Md. Makbul, S/o Md. Fida Hussain, R/o Village - Dubiyahi
Chhint, Ward No.- 19, P.S- Pipra, Dist- Supaul.

... .. Petitioner

Versus

1. The State of Bihar
2. X W/o Y R/o Village - Bathnaha, Kataiya Mahe, P.S- Pipra, Dist- Supaul.

... .. Opposite Parties

Appearance :

For the Petitioner	:	Mr. Murari Narain Chaudhary, Advocate
For the State	:	Mr. Narsingh Tanti, APP

CORAM: HONOURABLE MR. JUSTICE JITENDRA KUMAR
ORAL ORDER

3 06-05-2026 Heard learned counsel for the petitioner and
learned APP for the State.

2. The present petition has been filed on behalf of the petitioner, apprehending his arrest, in connection with Mahila (Supaul) P.S. Case No.46 of 2025/G.R. No.1979 of 2025 dated-09.08.2025, registered for the offences punishable under Sections 354, 354(A) of the Indian Penal Code as well as Under Section 8 of the POCSO Act.

3. As per allegation, the Petitioner has committed sexual assault against his minor daughter by touching her private part and breast.

4. Learned counsel for the Petitioner submits that the



Petitioner is innocent and has falsely been implicated in this case. He further submits that the FIR has been lodged by the mother of the alleged victim, who is the wife of the Petitioner and the relationship between the wife/informant and the Petitioner is strained. The wife has already lodged a criminal case under Section 498A against the Petitioner.

5. It is also stated in paragraph no. 2 of the bail petition that the petitioner has not moved this Court earlier either for anticipatory bail or regular one in the instant case.

6. It has further been stated in paragraph no.3 of the petition that the petitioner has no criminal antecedents.

7. However, learned APP for the State vehemently opposes the prayer of the Petitioner for bail submitting that the alleged offence is very unusual and very obnoxious because as per the allegation, the father of the victim has committed sexual assault against his minor daughter. In her statement as recorded under Section 164 Cr.PC/183 B.N.S.S., the victim has supported the allegation levelled against her father.

8. Considering the nature of the allegation and the statement of the victim as recorded under Section 164 Cr.PC/183 B.N.S.S., I am not persuaded to enlarge the Petitioner on anticipatory bail.



9. The present petition stands rejected, accordingly.

(Jitendra Kumar, J.)

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