

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.20214 of 2026

Arising Out of PS. Case No.-949 Year-2025 Thana- BHABHUA District- Kaimur (Bhabua)

Dipesh @ Dinkar Pandey, Son of Raghav Pandey, R/o Village - Bera, P.S. -
Mohaniya, Dist. - Kaimur at Bhabhua.

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXX D/o Sri Sanjay Singh R/o Village - Bhabhua, Ward no.- 11, Chakbandi Road, P.S.- Bhabua, Dist. - Kaimur at Bhabhua.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Rang Nath Pandey, Advocate Mr. Vivekanand Vivek, Advocate Mr. Debesh Kumar Poddar, Advocate
For the State	:	Mr. Ajay Kumar No. 2, APP
For the O.P. No.2	:	None

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

6 15-07-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State. No one appears on behalf of the opposite
party no.2 inspite of service of notice.

2. The petitioner has preferred this application for
grant of regular bail in connection with Bhabua P.S. Case
no.949 of 2025 (POCSO Case no.14 of 2026) registered under
section 65 of the Bharatiya Nyaya Sanhita, 2023 and sections 3
and 4 of the POCSO Act.

3. As per the prosecution case, the informant states
that the petitioner on the point of pistol threatened and assaulted
her and committed rape on her.



4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. The story as narrated in the F.I.R. is unbelievable as the alleged offence cannot be committed by an accused driving a vehicle at the same time. The registration number is of a vehicle which belongs to the Block Education Officer, Bhabua and the petitioner has no concern with the same. The age of the alleged victim was assessed to be 17-19 years in the medical examination and no case under the POCSO Act is made out. The medical report does not support the prosecution case in so far as no spermatozoa was found. The petitioner is in custody since 21.11.2025 and charge-sheet has been submitted in the case.

5. The application for bail is opposed by learned A.P.P for the State who submits that there is direct allegation against the petitioner of having committed rape on the minor informant who taking into consideration the date of birth on the mark-sheet produced in the learned trial Court is a minor aged about 15 years 3 months on the date of occurrence. The minor victim has supported the allegations in her statement recorded under section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023.

6. Having heard learned counsel for the parties and



taking into consideration the allegation of the petitioner having committed rape on the minor informant together with the statement 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.

7. Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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