

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28474 of 2026

Arising Out of PS. Case No.-387 Year-2025 Thana- SUPAUL District- Supaul

Hareshwar Yadav Son of Ghurup Yadav Resident of Village- Khiriya, P.S.-
Bagaha, District- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bibi Jubeda Khatoon W/O Nisarool R/O Village- Ghuran, P.S.- Supaul,
Distt.- Supaul.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prithvi Nath Mishra, Advocate
For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 23-04-2026 Heard Mr. Prithvi Nath Mishra, learned counsel for
the petitioner and Mr. Murli Dhar, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Supaul P.S. Case No. 387/2025, F.I.R. dated 26.07.2025 for the offences punishable under Sections 96 and 137(2) of the B.N.S. and Sections 4 and 6 of the POCSO Act.

3. According to prosecution case, the co-accused persons are alleged to have kidnapped the informant's minor daughter for selling her.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and he has falsely been 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 offences as alleged in the F.I.R. The petitioner is not named in the FIR. The name of the petitioner has transpired on the basis of the confessional statement of the co-accused, Chandan Kumar.

5. The learned Additional Public Prosecutor for the State vehemently opposed the anticipatory bail of the petitioner. In para. 92 of the case diary, confessional statement of the co-accused, Chandan Kumar is mentioned in which he has stated that he has handed over the victim to the petitioner and the petitioner along with the co-accused, Virendra Rai and Sunaina Kumar took the victim to Himachal Pradesh and sold the victim to one Darshan Singh for Rs. 2 lakhs. The victim in her statement recorded u/s 183 of the B.N.S.S. has supported the prosecution story. In para. 168 of the case diary education certificate of the victim is mentioned in which the date of birth is 01.01.2008 which suggests that on the date of occurrence the victim was a minor girl. The medical report of the victim suggests that no fighting sign or any sign of physical assault found but “rape cannot be ruled out”.

6. Considering the allegation as alleged in the F.I.R, the victim in her statement recorded under Section 183 of the



B.N.S.S. has supported the prosecutions story as well as the materials available on record, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Supaul P.S. Case No. 387/2025 pending in the court of learned District and Additional Sessions Judge cum Special Jduge, POCSO Act, Supaul.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

atul/-

U		T	
---	--	---	--

