

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.22460 of 2026**

Arising Out of PS. Case No.-417 Year-2024 Thana- BANIAPUR District- Saran

=====

Maina Mahto S/o Bhagwan Mahto R/o Village- Puchhari, PS- Baniyapur,  
Dist.- Saran

... .. Petitioner/s

Versus

1. The State of Bihar
2. X D/o Y R/o vill - Puchhari, P.S.- Baniyapur, Dist.- Saran

... .. Opposite Party/s

=====

**Appearance :**

For the Petitioner/s : Mr. Nalin Kumar, Advocate  
For the Opposite Party/s : Mr. Mohammad Sufyan, APP

=====

**CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA**  
**ORAL ORDER**

2      07-04-2026                      Heard Mr. Nalin Kumar, learned counsel for the  
  
petitioner and Mr. Mohammad Sufyan, learned Additional  
  
Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since  
13.09.2024 in connection with Baniyapur P.S. Case No. 417 of  
2024, F.I.R. dated 12.09.2024 for the offences punishable under  
Sections 64 and 65 of the BNS, 2023 and Section 4 and 6 of the  
POCSO Act.

3. According to prosecution case, this petitioner has  
committed rape upon the victim and also threatened to kill her if  
she disclosed the said incident to anyone.

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 FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that the statement of the victim has been recorded under Section 183 of the BNSS, 2023 in which she has categorically stated that the petitioner has committed rape upon her and apart from that the medical report of the victim also suggest that the petitioner has committed sexual assault against the victim.

6. Considering the aforesaid facts and circumstances, I am not inclined to enlarge the petitioner on bail in connection with Baniyapur P.S. Case No. 417 of 2024 pending in the court of learned Exclusive Special Additional Session Judge, (POCSO) Saran, Chapra.

7. Prayer is refused.

**(Rajesh Kumar Verma, J)**

Vanisha/-

|   |  |   |  |
|---|--|---|--|
| U |  | T |  |
|---|--|---|--|

