

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.25623 of 2026

Arising Out of PS. Case No.-494 Year-2025 Thana- CHAINPUR District- Kaimur (Bhabua)

Prakash Kumar S/o Basant Bind R/o Village - Bhadaura, P.S - Chainpur,
District - Kaimur at Bhabua

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXX W/o XXXX R/o Village - Bhadaura, P.S - Chainpur, District - Kaimur
at Bhabua

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Tribhuwan Narayan, Adv.

For the Opposite Party/s : Mr. Murli Dhar, APP

CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 15-07-2026 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner apprehends arrest in connection with Chainpur P.S. Case No. 494 of 2025 lodged on 18.10.2025, for the offence punishable under Section 76 of the Bharatiya Nyaya Sanhita, 2023 and sections 8 & 12 of the POCSO Act, pending in the Court of District & Additional Sessions Judge VI-cum-Special Judge POCSO Act, Kaimur at Bhabua.

3. As per the prosecution, FIR has been lodged against the sole petitioner. It has been alleged by the informant that on 18.10.2025 at about 12.30 AM in the night, when the informant's daughter went for natural call then the petitioner



came and caught her with wrong intention. Thereafter, when the informant reached at the place of occurrence, the petitioner pushed her and ran away.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. He submits that the petitioner is agnate of the informant and due to previous dispute regarding flow of drain water, the present case has been lodged. Counsel submits that there is no seizure list with regard to the recovery of mobile phone of the petitioner. He further submits that the petitioner has clean antecedent and there was no eye-witness for the alleged occurrence.

5. Learned APP for the State opposes the prayer for bail of the petitioner and submits that the statement of the victim has been recorded under Section 183 of the B.N.S.S. before the Magistrate in which she has stated against the present petitioner.

6. As such, in the present facts and circumstances, this Court is not inclined to grant bail to the petitioner. Accordingly, the prayer for anticipatory bail of the petitioner stands rejected.

7. However, liberty is granted to the petitioner that if he surrenders before the concerned Trial Court within a period of 4 weeks from today then in that case, the Trial Court is directed to pass order on his surrender-cum-bail application on



the same day after going through the ingredients of offence, without being prejudiced by the fact that the anticipatory bail application of the petitioner has been rejected by this Court, and the Trial Court shall pass order on the merits of the case.

(Dr. Anshuman, J)

Divyansh/-

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

