

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23238 of 2026

Arising Out of PS. Case No.-1078 Year-2025 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Suresh Mahto @ Suresh Kumar Mahto S/o Mahendra Mahto Resident of
Village- Patahi Hari, P.S- Muzaffarpur Sadar, District- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. X S/o Y R/o Vill - Patahi rup, P.S.- Muzaffarpur Sadar, Dist.- Muzaffarpur

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Ms. Nitu Kumari, Advocate
	:	Mr. Ratneshwar Prasad, Advocate
	:	Mr. Yogendra Kumar Singh, Advocate
For the State	:	Mr. Sadanand Paswan, APP
For the Informant	:	Mr. Abhinav Shandilya, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

5 24-07-2026 Heard learned counsel for the petitioner and learned

counsel for the informant as also learned APP representing the

State.

2. The petitioner is apprehending his arrest in
connection with Muzaffarpur Sadar P.S. Case No. 1078 of 2025
registered for the offence punishable under Sections 126(2),
115(2), 351(2), 352, 329(3) and 76 of the B.N.S. and section 3(i)
(r) and 3(i)(s) of the SC/ST Act and section 8 and 12 of the
POCSO Act, lodged on 19.12.2025 by the informant Sanjeet
Kumar.

3. As per the prosecution story, the informant alleged



that his daughter was alone when the petitioner came in a drunken state and after abusing her, taking case name, allegation is that she was gagged and the clothes were removed and he tried to establish physical relationship. This led to the F.I.R.

4. The coordinate Bench had called for the case diary and the statement of victim girl which is on record and according to which, the victim girl has supported the prosecution story as also the sexual advances that he made in a drunken state.

5. Though learned counsel for the petitioner tried to impress upon this Court about the innocence, learned counsel for the informant submits that the girl has supported the prosecution story.

6. Taking into account the aforesaid facts, no relief can be granted to the petitioner, the anticipatory bail application stands rejected.

(Rajiv Roy, J)

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