

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.28197 of 2026

Arising Out of PS. Case No.-71 Year-2026 Thana- BHABHUA District- Kaimur (Bhabua)

Parvej Rayeen S/o Samsuddin Rayeen R/o - Bhabua Ward No. 9, P.S -
Bhabua, District - Kaimur

... .. Petitioner/s

Versus

1. The State of Bihar
2. XX S/o Riyaz Ahmad Khan R/o - Ward No. 9, Chhawani Mohalla, Bhabua,
P.S - Bhabua, District - Kaimur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Sushil Kumar Singh, Advocate
For the State	:	Mr. Shyam Kumar Singh, APP
For the Informant	:	Mr. Sonu Singh, Advocate
		Mr. Sarfraz Ahmad, Advocate
		Mr. Abhay Kumar Mishra, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

5 22-07-2026 Heard learned counsel for the petitioner and learned APP
for the State as also learned counsel for the informant. Perused
the case diary.

2. The petitioner seeks bail in connection with
Bhabua P.S. Case No. 71 of 2026 instituted for the offence
under Section 64 of the Bharatiya Nyaya Sanhita, 2023 and
Sections 8 & 4 of the POCSO Act.

3. As per prosecution case, petitioner allegedly
sexually assaulted the minor daughter of the informant.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 30.01.2026. Petitioner



bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. From perusal of the medical report, it appears doctor has not found any external injury nor he has found any injury on the genital party of the victim. Learned counsel for the petitioner submits that as a matter of fact petitioner and informant are neighbours and due to earlier altercation took place between them, petitioner has been implicated.

6. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner. Referring to statement of the victim recorded under Section 183 of the BNSS, 2023, it is submitted that victim has fully supported the prosecution case. It is next submitted that victim is seven years old, hence, petitioner does not deserve the privilege of bail.

7. Considering the aforesaid facts and circumstances of the case, nature and gravity of the offence, as also statement of the victim recorded under Section 183 of the BNSS, 2023, this Court is not inclined to grant bail to the petitioner. Prayer for grant of bail to the petitioner is hereby *rejected*.



8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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