

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35312 of 2026

Arising Out of PS. Case No.-808 Year-2025 Thana- MUZAFFARPUR SADAR District-
Muzaffarpur

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Altaf Raza S/O Md. Kurban @ Md. Kurban Ali R/O Village- Gori-hara
Khalik, P.S.- Sakra, Distt.- Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. X W/O Y R/O Village- Susta Madharpur, P.S.- Sadar, Dist.- Muzaffarpur.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Alok Kumar Alok, Advocate

For the Opposite Party/s : Mr. Aditya Narayan Singh.1, APP

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CORAM: HONOURABLE MR. JUSTICE DR. ANSHUMAN
ORAL ORDER

3 21-07-2026 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks regular bail in connection with
POCSO G.R. No. 273/2025, lodged on 19.09.2025 under
Sections 65(2), 3(5) of the BNS and section 4 of the The
Protection of Children from Sexual Offences (POCSO) Act,
2012.

3. As per the prosecution case, the neighbourer of the
Opposite Party No. 2 let out his house to the petitioner and
Shivnath Kumar. It is alleged that both the accused including the
petitioner took away the minor daughter of the O.P No. 2 after
enticing her from her house and both of them established
physical relationship with the daughter of the O.P. No. 2 one



after another.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. It is submitted that the petitioner has no criminal antecedent and is in custody since 19.09.2025. Learned counsel further submits that the victim was medically examined and no external injury was found on her person. However, the petitioner is willing to abide by any conditions that may be imposed by this Hon'ble Court in the event of his release on bail.

5. Learned APP for the State opposes the prayer for bail and submits that the petitioner alleged to have kidnapped the minor daughter of the informant and committed rape upon her. The victim was recovered from the house where the petitioner and the co-accused were residing, which corroborates the allegation made in the First Information Report. It is further submitted that the victim has supported the prosecution case in her statement recorded under Section 183 of the B.N.S.S., and the materials collected during investigation *prima facie* support the prosecution case.

6. Having regard to the nature and gravity of the accusation, the age of the victim, the specific allegation against the petitioner, the recovery of the victim from the house where



the petitioner was residing, and the materials available on record, this Court is not inclined to extend the privilege of bail to the petitioner at this stage.

7. Accordingly, the prayer for regular bail of the petitioner in connection with POCSO G.R. No. 273/2025, pending before the learned Exclusive Special Court Rape & POCSO, Muzaffarpur, is hereby rejected.

8. However, liberty is granted to the petitioner to renew the prayer for bail one year after taking of cognizance, if so advised.

(Dr. Anshuman, J)

Manshi/Ashwini

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