

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31188 of 2026

Arising Out of PS. Case No.-245 Year-2025 Thana- Raghunathpur District- East Champaran

Samir Alam S/O Nejabul Miya @ Najabul R/O Village- Majuraha, P.S.-
Raghunathpur, Distt.- East Champarn. Petitioner/s

Versus

1. The State of Bihar
2. XX S/O YY R/O Village- Majuraha, P.S.- Raghunathpur, Distt.- East Chamapran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Suruchi Anand, Advocate

For the Opposite Party/s : Mr. Ram Sevak Choudhary, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-05-2026 Heard Ms. Suruchi Anand, learned counsel for the

petitioner and Mr. Ram Sevak Choudhary, learned Additional

Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
30.08.2025 in connection with Raghunathpur P.S. Case No. 245
of 2025, F.I.R. dated 28.08.2025 for the offences punishable
under Sections 351, 352, 3(5) and 65 of the BNS, 2023 and
Sections 4/6 of the POCSO Act.

3. According to prosecution case, this petitioner has
forcefully caught the informant's daughter and committed rape
upon her.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been
implicated in the present case. The allegation as alleged in the



FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. From perusal of the FIR it appears that the petitioner was in love with the victim and due to this reason he has been implicated in the present case.

5. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation against the petitioner that he has committed wrong with the victim. Victim was recovered and her statement was recorded under Section 183 of the BNSS, 2023 in which she has stated that the petitioner has committed repeated rape upon her even more than once in a day and it has come during investigation that on the date of occurrence the victim was minor.

6. Considering the aforesaid facts and circumstances, I am not inclined to enlarge the petitioner on bail in connection with Raghunathpur P.S. Case No. 245 of 2025 pending in the court of learned 6th District & Additional Judge, East Champaran, Motihari, Bihar.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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