

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30765 of 2026

Arising Out of PS. Case No.-653 Year-2024 Thana- RAFIGANJ District- Aurangabad

Surenbra Kumar @ Buddu Kumar @ Baddu Kumar son of Gurudeo Sao @
Gurudev Saw Resident of Village- Birnawan, P.S. -Anti, District- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar bihar
2. XX Daughter of YY Resident of village- Dularchak, Ps- Goh, Dist-
Aurangabad

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Sharma, Advocate

For the Opposite Party/s : Mr.Shantanu Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 06-05-2026 Heard Mr.Sanjay Kumar Sharma, learned counsel for

the petitioner and Mr.Shantanu Kumar, learned A.P.P. for the

State.

2. The petitioner seeks bail, who is in custody since
07.03.2026 in connection with Rafiganj P.S. Case No. 653 of
2024 (POCSO G.R. No. 188/2024), F.I.R. dated 08.11.2024
registered for the offence punishable under Sections 77, 78, 79,
64(1), 356(2), 351(2) of Bhartiya Nayay Sanhita, Section-4 & 8
of POCSO Act and Section 66E of I.T. Act.

3. Allegation against the petitioner is that he
committed rape upon the victim.

4. Learned counsel appearing for the petitioner



submits that the allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR.

5. Learned APP for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that the petitioner has approached this Court for grant of anticipatory bail but the same was dismissed Vide order dated 16.09.2025 passed in Cr. Misc. No. 35528 of 2025. Thereafter the petitioner has approached the Hon'ble Apex Court in S.L.P. (Crl.) No(s). 21245 of 2025 and the same was dismissed with direction to the petitioner to surrender before the learned Court below within three weeks. Learned APP for the State further submits that before filing of the present case the informant has also filed Cyber P.S. Case No. 95 of 2024 against the petitioner. Thereafter the petitioner has committed wrong with the informant/victim, apart from that, the statement of the victim was recorded under Section 183 of B.N.S.S., 2023, in which she has fully supported the case of the prosecution, apart from also that, the Date of Birth of the victim is 01.01.2004 which suggests that on the date of occurrence, the victim was minor.

6. Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Rafiganj P.S.



Case No. 653 of 2024 (POCSO G.R. No. 188/2024), pending in the court of learned Court of Additional District & Session Judge-VI-Cum-the special Exclusive Judge (POCSO), Civil Court, Aurangabad.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Nitesh/-

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