

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.40802 of 2026

Arising Out of PS. Case No.-131 Year-2025 Thana- MANJHAGARH District- Gopalganj

Mukesh Kumar S/O Balistar Prasad @ Balistar Kumar Patel @ Balista Kumar
R/O Vill.- And P.O.- Gausia, P.S.- Manjhagarh, Dist.- Gopalganj.

... .. Petitioner/s

Versus

1. The State of Bihar
2. XX S/O YY R/O Vill. and P.O.- Banvira, P.S.- Patherwa, Dist.- Kushi Nagar,
U.P.- 274401

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Jay Prakash Sharma, Advocate
For the Opposite Party/s	:	Mr. Syed Mojibur Rahman, APP
For the Informant	:	Mr. Satyam Kumar Ojha, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 30-06-2026 Heard Mr. Jay Prakash Sharma, learned counsel for the petitioner, Mr. Satyam Kumar Ojha, learned counsel for the informant and Mr. Syed Mojibur Rahman, learned Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since 18.02.2026 in connection with Manjhagarh P.S. Case No. 131 of 2025, F.I.R. dated 21.04.2025 for the offences punishable under Sections 64(1), 64(2) (1), 64(2) of the BNS, 2023 and Sections 4(I), 8 and 12 of POCSO Act.

3. According to prosecution case, this petitioner has committed rape upon the victim.

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.

5. The learned counsel for the informant as well as learned Additional Public Prosecutor have 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 rape upon the victim. Apart from that, statement of victim was recorded under Section 180/183 of the BNSS in which she has stated that the petitioner has committed rape upon the victim and on the date of occurrence she was minor. Apart from the aforesaid, the medical report also suggest that on the date of medical examination victim was pregnant.

6. Considering the aforesaid facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail in connection with Manjhagarh P.S. Case No. 131 of 2025 pending in the court of learned District & Additional Sessions Judge-VI-cum-Special Judge, POCSO, Gopalganj.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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