

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32644 of 2026

Arising Out of PS. Case No.-49 Year-2026 Thana- DHAKA District- East Champaran

Shibu Shrivastav Son of Sujit kumar Shrivastav Resident of Village-
Dumariya Tola, P.S.- Raxaul, District- East Champaran Petitioner/s
Versus

1. The State of Bihar
2. The victim(X) D/o Prakash Chandra Nepali Resident of Village- Katai, P.S.-
Katari, District- Udaypur (Nepal)
... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Niranjan Prasad Singh, Advocate
For the Opposite Party/s : Mr. Anuj Kumar Shrivastava, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-05-2026 Heard Mr. Niranjan Prasad Singh, learned
counsel for the petitioner and Mr. Anuj Kumar Shrivastava,
learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
24.01.2026 in connection with Dhaka P.S. Case No. 49 of 2026,
FIR dated 23.01.2026 registered for the offence under Section
64(1) of the Bharatiya Nyay Sanhita, 2023 and Section 8 and 12
of the POCSO Act.

3. According to the prosecution, the informant
alleges that the petitioner has forcefully made physical
relationship with her in a room and she is pregnant now.

4. Learned counsel appearing for the petitioner
submits that the petitioner is innocent and he has falsely been
implicated in this case. He further submits that the allegation as



alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. and the petitioner is rotting in judicial custody since 24.01.2026.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that statement of the victim was recorded under Section 183 BNSS in which she has fully supported the case of the prosecution and stated that petitioner has committed wrong with her and as per medical report the victim is about 14-16 years old.

6. Considering the facts and circumstances of the case as well as nature of allegation supported by medical evidence, I am not inclined to enlarge the petitioner on bail in connection with Dhaka P.S. Case No. 49 of 2026, pending in the Court of 6th District & Additional Sessions Judge-cum-Exclusive Special judge, POCSO Act, East Champaran, Motihari.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Suruchi/-

U		T	
---	--	---	--

