

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.33544 of 2026

Arising Out of PS. Case No.-24 Year-2026 Thana- DHORAIYA District- Banka

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Kabir Kumar S/o Brahmdeo Ray R/o Village- Dharhara, PS- Dhoraiya,
District- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. X W/o Y R/o vill - Dharhara, P.S.- Dhoraiya, Distt.- Banka

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Brij Nandan Prasad, Advocate
For the Opposite Party/s : Mr. Anil Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 14-05-2026 Heard Mr. Brij Nandan Prasad, learned counsel for
the petitioner and Mr. Anil Kumar, learned Additional Public
Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
30.03.2026 in connection with Dhoraiya P.S. Case No. 24/2026,
F.I.R. dated 25.01.2026 for the offences punishable under
Sections 65(2) of the B.N.S. and Section 4 and 6 of the POCSO
Act.

3. According to prosecution case, the petitioner is
alleged to have committed rape on the informant's minor
daughter aged about 3 years.

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



the petitioner is false and fabricated. The petitioner is made accused in the present case due to some ulterior motive and the petitioner is in custody since 30.03.2026.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner by submitting that there is direct and specific allegation against the petitioner of committing wrong with the victim who is aged about 3 years but the medical report suggests that the age of the victim is between 6 to 8 years. Apart from the aforesaid victim as well as the informant was recorded under Section 183 of the BNSS in which they have supported the prosecution story.

6. Considering the nature of allegation alleged in the FIR which gets support from the statement of the victim and her mother recorded under Section 183 of the BNSS, I am not inclined to enlarge the petitioner on bail in connection with Dhoraiya P.S. Case No. 24/2026 pending in the court of learned Court of Additional Sessions Judge-6 cum Special Judge POCSO, Banka.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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