

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32246 of 2026

Arising Out of PS. Case No.-1 Year-2025 Thana- BHABHUA District- Kaimur (Bhabua)

Gautam Bind S/O Jaggu Bind R/O Village- Dudhara, Police Station- Bhabua,
District- Kaimur, Bhabua

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. XX D/O YY R/O Vill.- Narotapur, P.O.- Dumraith, P.S.- Bhabua, Dist.- Kaimur, Bhabua.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Jay Prakash Singh, Advocate

For the Opposite Party/s : Mr.Chandra Bhushan Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 12-05-2026 Heard Mr.Jay Prakash Singh, learned counsel for

the petitioner and the Mr.Chandra Bhushan Prasad, learned

A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
05.03.2026 in connection with Bhabua P.S. Case No. 01 of
2025, F.I.R. dated 01.01.2025 registered for the offence
punishable under Sections 70(1), 126(2), 115(2), 351(2) of
the BNS and section 4, 8 of POCSO Act.

3. Allegation against the petitioner is that he
alongwith other co-accused persons have committed rape
upon the victim.

4. Learned counsel appearing for the petitioner



submits that the petitioner has clean antecedent. 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 there is direct and specific allegation against the petitioner that he alongwith other co-accused persons have committed rape upon the victim and the statement of the victim was recorded under Section 183 of B.N.S.S., 2023 in which she has categorically stated that the petitioner alongwith other co-accused person have committed rape upon her, apart from that, the Medical Report also suggests that the victim has been sexually assaulted by the petitioner and other co-accused persons, apart from that, the Date of Birth of the victim is 20.03.2008 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 Bhabua P.S. Case No. 01 of 2025, pending in the court of learned District and Additional Sessions Judge VIth-cum-Special Judge POCSO Act, Kaimur (Bhabua).



7. Prayer is refused.

(Rajesh Kumar Verma, J)

Nitesh/-

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