

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.35317 of 2025

Arising Out of PS. Case No.-16 Year-2025 Thana- MAHILA PS District- East Champaran

Ranjit Singh son of Ram Paras Singh Village- Anhara, Chapra, Ps-
Kalyanpur, Dist- East Champaran

... .. Petitioner

Versus

1. The State of Bihar
2. 'X', Daughter of Manoj sahani Daughter of Manoj Sahni Village-
Anhara, Chapra, Po- Rajpur, Ps- Kalyanpur, Dist- East Champaran
... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Abhishek Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA
ORAL ORDER

6 21-01-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The accused-petitioner, named in the F.I.R., is apprehending his arrest in connection with Mahila P.S. Case No. 16 of 2025 registered for the offences punishable under Sections 65(1) and 351(2), of the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.') and section 4 & 6 of POCSO Act.

3. As per FIR, petitioner, who is aged about 50 years, committed rape upon the informant aged about 15 years on 24.12.2025, somewhere between 7:00 to 8:00 P.M., while she went to a nearby field as to attend the call of nature.

4. Learned counsel appearing on behalf of the



petitioner submitted that the present FIR was lodged with a delay of about three months as same was lodged on 08.03.2025 as an afterthought to implicate the petitioner due to local dispute and differences. It is submitted that occurrence is totally denied by the petitioner and the child, as alleged to be born out of said occurrence, is not of this petitioner which may get confirmed by DNA report only. It is pointed out that upon medical board examination, the age of victim/informant was found between 18 to 19 years and, therefore, at the time of occurrence, she was major.

5. Learned A.P.P. for the State, while opposing the prayer for anticipatory bail of the petitioner, submitted that victim/informant herself, while authoring the FIR, raised specific allegation against this petitioner as to commit rape upon her while she went on the date of occurrence to attend the call of nature. It is pointed out that the same fact also appears stated with full of consistency while recording statement under section 180 & 183 of the B.N.S.S. during course of investigation. It is pointed out that victim maintains her silence after the occurrence out of social and family



trauma and when she started to face some physical problem, when she found pregnant on medical check-up thereafter the occurrence was reported to the police by her that this petitioner had committed rape upon her on the date of occurrence, thereafter, the present FIR was lodged.

6. It is obvious that the present proceeding is not to determine the paternity of the child whether it was born with this petitioner or anyone else and therefore the desired DNA report, as called for, is of no relevancy.

7. As the allegation *qua* rape appears specifically available against the petitioner, which further corroborated with statement of victim/informant while recording statement under section 180 & 183 of the B.N.S.S. as discussed aforesaid, accordingly, present prayer of anticipatory bail of the petitioner stands rejected.

(Chandra Shekhar Jha, J)

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