

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.41200 of 2026

Arising Out of PS. Case No.-74 Year-2025 Thana- MAHILA P.S. District- Bhagalpur

Md. Asif Qureshi, S/o Md. Kamruddin Qureshi, Resident of village -
Housinabad, P.S.- Babarganj, District - Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXXXX S/o Md. Sahbaz Qureshi, Resident of village - Moajjamecjak
Ganichak, P.S.- Mojahidpur, District - Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rajive Ranjan Singh, Advocate
For the Opposite Party/s : Mr. Md. Ataur Rahman, APP

CORAM: HONOURABLE MR. JUSTICE ALOK KUMAR
ORAL ORDER

3 31-07-2026 Heard learned counsel for the petitioner and the learned
APP for the State.

2. The petitioner seeks regular bail in connection with
Mahila P.S. Case No. 74 of 2025, instituted for the offences under
Section 65(1) of the B.N.S. and Section 4 of the POCSO Act.

3. The prosecution story, in brief, is that the
informant/victim aged 13 years alleged that the accused Md.
Qureshi, who lives in a rented house next to her house used to talk
to the victim by calling her friend's mobile phone. It is also alleged
that one day, the petitioner called her to his room and established
physical relationship by saying that he would marry her, but later
on refused to marry.



4. Learned counsel for the petitioner submits that the petitioner is languishing in judicial custody since 06.01.2026. He further submitted that it is a case of consent and love affair between the petitioner and the victim.

5. Learned APP for the State opposes the prayer for grant of bail and submitted that the victim is a minor aged about 13 years.

6. Having heard the parties and taking into account the age of the victim and the allegation against the petitioner, it is quite clear that the consent of a minor is no consent under the law, I am not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for regular bail of the petitioner is hereby rejected.

(Alok Kumar, J)

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