IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.48030 of 2026

CNR No. BRHC010581972026

Arising Out of PS. Case No.-128 Year-2025 Thana- Rajeshwari District- Supaul

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Rajdeep Yadav Son of Late Maheshwari Yadav Resident of Village- Tamua, Ward No. 6, P.S.- Rajeshwari, District- Supaul

... ... Petitioner/s

Versus

1. The State of Bihar

2. X S/o Nageshwar Mehta Resident of Village- Tamua, Ward No. 06, P.S.- Rajeshwari, District- Supaul

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Madhumala Kumari, Advocate
For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP
For the Informant : Mr. Nafisuzzoha, Advocate
Mr. Nasar Iqbal, Advocate
Mr. Mirza Ahraz, Advocate

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

5 28-10-2026 Heard learned counsel for the petitioner, learned counsel for the informant and learned APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Rajeshwari P.S. Case No. 128 of 2025 instituted for the offences under Sections 115(2), 75(2), 76, 351(2)(3) of the Bharatiya Nyaya Sanhita, 2023 and Section 8 of the POCSO Act. Earlier, vide order dated 08.04.2026 passed in Cr. Misc. No. 16200 of

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2026, the prayer of the petitioner for grant of anticipatory bail was rejected by this Court.

3. Allegation against the petitioner is that he attempted to commit rape upon the informant's minor daughter.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and has falsely been implicated in the present case due to previous enmity with the informant and the entire prosecution case is false and concocted. It has been submitted on behalf of the petitioner that the petitioner is in custody since 24.04.2026 and has one criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that victim in her statement recorded under Section 183 of the BNSS has corroborated the contents of the FIR, and therefore, the petitioner does not deserve to be released on bail. Learned APP further submitted that police, after completion of the investigation, submitted charge-sheet under Sections 62 r/w 65(2), 115(2), 351(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 8 of the POCSO Act.

6. Considering the aforesaid facts and circumstances of the case as also Section 183 BNSS statement of the victim,

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this Court is not inclined to grant bail to the petitioner at this stage.

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

8. Learned Trial Court is directed to expedite the trial.

(Rudra Prakash Mishra, J)

Alok Verma/-

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