

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42632 of 2026

Arising Out of PS. Case No.-40 Year-2026 Thana- KUMAR KHAND District- Madhepura

Niraj Kumar S/O Bechan yadav R/O Vill.- Kewatgama, Ward No. 13, P.S.-
Kumarkhand, District- Madhepura Petitioner/s

Versus

1. The State of Bihar
2. X W/O Y R/O Vill.- Kewatgama, Ward No. 13, P.S.- Kumarkhand, District-
Madhepura Opposite Party/s

Appearance :

For the Petitioner/s : Ms. Pooja Prasad, Advocate
For the Opposite Party/s : Mr. Bhanu Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA

ORAL ORDER

2 06-07-2026 Heard Ms. Pooja Prasad, learned counsel for the
petitioner and Mr. Bhanu Pratap Singh, learned A.P.P. for the
State.

2. The petitioner seeks bail, who is in custody since
12.02.2026 in connection with Kumarkhand P.S. Case No. 40 of
2026, FIR dated 11.02.2026 registered for the offence under
Section 64(1), 352(2) of the Bharatiya Nyay Sanhita, 2023 and
Section 4/12 of the POCSO Act.

3. According to the prosecution case, the informant
alleged that her minor daughter was suffering from stomach ache
and pain in legs, so she brought her daughter to Shiva Hospital for
treatment where doctor found she is pregnant of 8 months. On
being asked, the daughter of the informant told that the petitioner
raped her and threatened to kill if she told to anybody.

4. Learned counsel appearing for the petitioner



submits that the petitioner has clean antecedent and he has falsely been implicated in this case and the petitioner is rotting in judicial custody since 12.02.2026.

5. Learned A.P.P. for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that statement of the victim was recorded under Section 183 of BNSS in which she has fully supported the case of the prosecution and apart from that she has categorically stated that the petitioner has committed rape upon her. He further submits that medical report of the victim available in the case diary in which doctor has examined and found teenage pregnancy and date of birth of the victim is 01.01.2013, which suggest that at the time of alleged occurrence, she was minor.

6. Considering the facts and circumstances of the case, I am not inclined to enlarge the petitioner on bail in connection with Kumarkhand P.S. Case No. 40 of 2026, pending in the Court of District and Additional Session Judge-VI-cum-Spl. Judge, POCSO, Madhepura.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Suruchi/-

U		T	
---	--	---	--

