IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43638 of 2026

CNR No. BRHC010628142026

Arising Out of PS. Case No.-114 Year-2026 Thana- GHANSHYAMPUR District- Darbhanga

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Gulal Singh @ Tridavananand Singh @ Tridavanand Singh S/o Sri Shivanand Singh R/o Vill- Balthari, P.S.- Ghanshyampur, Distt- Darbhanga

... ... Petitioner/s

Versus

1. The State of Bihar
2. X W/o- Y R/o Vill- Balthari, P.S.- Ghanshyampur, Distt- Darbhanga

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Jagdish Prasad Singh, Advocate
For the Opposite Party/s : Mr. Dr. Ajeet Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

6 04-11-2026 Heard learned counsel for the petitioner and learned APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Ghanshyampur P.S. Case No. 114 of 2026 instituted for the offence under Sections 64, 115(2), 89, 351(2), 352 & 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 4 & 6 of the POCSO Act.

3. The prosecution case, in brief, is that the informant alleged that her minor daughter was sent to the house of accused Shivanand Singh for domestic work, where she was sexually assaulted by petitioner, resulting in her pregnancy. It is further alleged that on 02.08.2025, petitioner and Kunal Singh forcibly

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took the victim to Rajesh Hospital, Biraul, got her pregnancy terminated and left her at her house on 03.08.2025.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 11.04.2026. Petitioner bears one criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. Learned counsel for the petitioner submits that parties are agnates. Informant is the aunt of the petitioner and victim is cousin of the petitioner. From perusal of the FIR, it would manifest that no event has been alleged with specific dates rather, vague statement has been made. During investigation, it has surfaced that abortion has been done with the consent of informant and victim.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Referring to statement of the victim recorded under Section 183 of the BNSS, 2023, it is submitted that victim has fully supported the prosecution case. Charge sheet has already been submitted in this case under Sections 65(1) & 88 of the BNS, 2023 and Sections 4 & 6 of the POCSO Act.

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7. Considering the aforesaid facts and circumstances of the case, nature and gravity of the offence as also charge sheet being submitted in this case under Sections 65(1) & 88 of the BNS, 2023 and Sections 4 & 6 of the POCSO Act, this Court is not inclined to grant bail to the petitioner. Prayer for grant of bail to the petitioner is hereby ***rejected***.

8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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