IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46280 of 2026

CNR No. BRHC010657292026

Arising Out of PS. Case No.-18 Year-2026 Thana- MAHILA PS District- Gaya

==========

Ankit Kumar Son of Mukesh Kumar Resident of Village- Guljana, P.S.- Pura, District- Gaya, Bihar

... ... Petitioner/s

Versus

1. The State of Bihar
2. X.Y.Z. Wife of A.B.C. Resident of Village- Guljana, P.S.- Pura, District- Gaya, Bihar.

... ... Opposite Party/s

==========

Appearance :
For the Petitioner/s : Mr. Ramendra Kumar Bharti, Advocate
For the Opposite Party/s : Mrs. Usha Kumari No. 1, APP

==========

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 28-10-2026 Heard learned counsel for the petitioner and learned APP for the State. None appears on behalf of the informant despite notice being validly served. Perused the case diary.

2. The petitioner seeks bail in connection with Mahila P.S. (Gaya) Case No. 18 of 2026 instituted for the offences under Sections 65(1), 352, 351(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 4/6 of the POCSO Act.

3. Allegation against the petitioner is of commission of rape upon the informant’s daughter.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and has falsely been implicated in the

WEB COPY

present case. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. Learned counsel further submitted that, as a matter of fact, there was love affair between the petitioner and the victim and the petitioner never forced victim to establish physical relations. It has been submitted on behalf of the petitioner that the petitioner is in custody since 06.03.2026 and has no criminal antecedent.

5. Learned A.P.P. for the State vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that the consent of the victim who is minor, has no evidentiary value in the eye of law, 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 65(2) of the Bharatiya Nyaya Sanhita, Sections 4/6 of the POCSO Act and Sections 3(1)(w)(i), 3(2)(v) of the SC/ST Act.

6. Considering the aforesaid facts and circumstances of the case as also the submission of charge-sheet under the aforesaid Sections, this Court is not inclined to grant bail to the petitioner at this stage.

7. Accordingly, the prayer for grant of bail to the

WEB COPY

petitioner is, hereby, rejected.

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

(Rudra Prakash Mishra, J)

Alok Verma/-

U		T	

WEB COPY