

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.50232 of 2025

Arising Out of PS. Case No.-119 Year-2025 Thana- BAUNSI District- Banka

Vijay Mandal @ Bijay Mandal @ Vijay Kumar S/O Late Gopal Mandal
Village- Bhikhanpur, P.S.- Baunsi, District- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. X S/O Late Jagdish Mandal D/o - Y , R/o Village- Z, through S.H.O. Bounsi in connection with Bounsi P.S. case no. 119 of 2025, District - Banka.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Brij Nandan Prasad, Advocate

For the Opposite Party/s : Mr. Tapeswar Sharma, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

5 02-02-2026 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Bounsi P.S. Case No. 119 of 2025 instituted for the offence under Section 65(1) of the Bharatiya Nyaya Sanhita, 2023 and Section 4 of the POCSO Act.

3. Prosecution case, in a nutshell, is that petitioner committed rape with the minor daughter of the informant in maize field while she had gone to take tuition.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 21.04.2025. Petitioner bears no criminal antecedents, 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 mainly submits that medical report does not corroborate with the allegation levelled in the FIR, as doctor did not find any sign of sexual assault. It is submitted that petitioner and informant are agnates and there is civil dispute pending between them due to which petitioner has been dragged in this case.

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

7. Considering the aforesaid facts and circumstances of the case, taking into account the fact that victim is minor as also charge-sheet being submitted in this case under Section 65(1) of the Bharatiya Nyaya Sanhita, 2023 and Section 4 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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