

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52208 of 2026

Arising Out of PS. Case No.-79 Year-2026 Thana- SALIMPUR District- Patna

=====

Raushan Kumar S/O Manoj Paswan Resident of Village- Nehusa @ Neusa,
P.S.- Harnaut, District- Nalanda, State-Bihar.

... .. Petitioner/s

Versus

1. The State of Bihar
2. X S/O Y R/O Vill.- Karauta Bigaha, P.S.-Salimpur, Dist.- Patna, State- Bihar

... .. Opposite Party/s

=====

Appearance :

For the Petitioner/s : Mr. Kamlesh Kumar Singh, Advocate
For the Opposite Party/s : Mr. Narsingh Tanti, APP

=====

CORAM: HONOURABLE MR. JUSTICE GIRIJISH KUMAR
ORAL ORDER

2 29-07-2026 Heard learned counsel appearing on behalf of the

petitioner as well as learned APP appearing on behalf of the

State.

2. Petitioner seeks bail in Special (POCSO) Case No.
129 of 2026, arising out of Salimpur P.S. Case No. 79 of 2026,
registered for the offences punishable under Sections 115(2),
126(2) and 65(1) of the Bharatiya Nyaya Sanhita, 2023 and
Sections 4 and 6 of the POCSO Act.

3. In the F.I.R., it is alleged against the petitioner that
he lured the informant's minor daughter and took her on a
motorcycle to Karauta Garden, about 1 K.M. away from the
home, and after committing rape on her, fled away.

4. Learned counsel for the petitioner submits that



petitioner is innocent and has falsely been implicated in this case. He further submits that petitioner has no criminal antecedent and there is no medical evidence or recovery supporting the prosecution version. Petitioner voluntarily surrendered before the Court on 16.03.2026 and, therefore, the petitioner deserves regular bail.

5. Learned APP vehemently opposed the prayer for bail and stated that the allegation against the petitioner is grave and serious and it involves sexual assault on a minor girl of 14 years. It is further submitted that the victim supported the prosecution case, both in the statement during investigation as well as appearing by person before the Court. It is also submitted that the witnesses examined during the investigation have supported the occurrence. From the contents of the F.I.R. it is clear that there is specific accusation against the petitioner. The victim is a minor girl and the statement recorded by the victim during investigation *prima facie* supported the prosecution case. Petitioner has committed a serious offence under the POCSO Act. Therefore, the petitioner does not deserve regular bail, particularly considering the fact that the petitioner is in custody only since 16.03.2026.

6. Considering the fact that the victim has appeared in



person before the Court and supported the allegation levelled against the petitioner, the victim is a minor girl and has been sexually assaulted by the petitioner as well as considering the nature and gravity of the accusation and the *prima facie* material available on the record, the Court is not inclined to grant regular bail to the petitioner.

7. The prayer for bail of the petitioner is accordingly rejected.

(Girijish Kumar, J)

P.K.P./-

U			
---	--	--	--

