IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53496 of 2026

CNR No. BRHC010754032026

Arising Out of PS. Case No.-73 Year-2026 Thana- CHANAN District- Lakhisarai

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Akshay Kumar S/o Suresh Mandal R/o Village - Gopalpur, PO - Gopalpur, PS - Chanan, District - Lakhisarai

... ... Petitioner/s

Versus

1. The State of Bihar
2. XXX W/o XXX R/o Village - Gopalpur, PO - Gopalpur, PS - Chanan, District - Lakhisarai, State - Bihar (Informant of Chanan P.S Case no. 73 of 2026)

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Shivnandan Bharti, Adv.
For the Opposite Party/s : Mr. Bishweshwar Ram, APP
Mr. Rajendra Nath Jha, APP
For the Informant : Mr. Rikesh Sinha, Adv.

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CORAM: HONOURABLE MR. JUSTICE KHATIM REZA

ORAL ORDER

5 19-11-2026 Heard learned counsel for the petitioner, learned A.P.P for the State and learned counsel for the informant.

2. The petitioner seeks bail in connection with Chanan P.S. Case No. 73 of 2026 dated 27.04.2026 registered for the offence punishable under Sections 65(1), 352, 351(2), 351(3) and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and Sections 4 and 6 of the POCSO Act.

3. The allegation against the petitioner is that he has committed rape with the minor daughter of the informant.

4. Learned counsel for the petitioner submits that the

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petitioner is innocent and has been falsely implicated in this case. It is submitted that there was love affair between the petitioner and the daughter of the informant. The allegation against the petitioner is false and fabricated and there was neither any sign of rape nor any external or internal injury on any part of the body. The medical report also shows that there is no finding of sexual assault or physical assault. The victim herself has stated that in her statement recorded under Section 183 of the B.N.S.S. that she was in relationship with the petitioner for last six months. The petitioner is in custody since 12.05.2026, having no criminal antecedents and charge-sheet has been submitted in the case.

5. Learned A.P.P for the State and learned counsel for the informant opposed the prayer for bail of the petitioner. Learned counsel for the informant submits that there is specific allegation against the petitioner of committing rape with the victim girl. The victim girl is a minor girl aged about 14 years old. It is further submitted that the statement of the victim recorded under Section 183 of the B.N.S.S. fully supports the case of the prosecution in which she has clearly stated that the petitioner has raped her 10-15 times.

6. Having considered the facts and circumstances of

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the case and submissions of learned counsel for the parties as well as the age of the victim, who is said to be a minor girl, I am not inclined to grant bail to the petitioner at this stage.

7. Accordingly, the prayer of the petitioner for grant of bail is ***rejected***.

8. The learned Trial Court is directed to take all endeavour to conclude the trial at the earliest, preferably, within one year from the date of receipt/production of a copy of this order without granting any unnecessary adjournment.

9. This application stands dismissed.

(Khatim Reza, J)

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