

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.53962 of 2025

Arising Out of PS. Case No.-264 Year-2025 Thana- MAHUA District- Vaishali

Pakija Khatoon @ Phullo W/O Md. Warish @ Md Basir R/O village -
Beruadih, P.S.- Bariyarpur, District - Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. X C/O Md. Isha D/O Md. Isha R/O village - Beruadih, P.S.- Bariyarpur,
District - Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Hemant Kumar, Advocate
For the Opposite Party/s	:	Mr. Surendra Kumar, APP
For the Informant	:	Mr. Ranjeet Kumar, Advocate

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

ORAL ORDER

3 20-02-2026 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State. Perused
the case diary.

2. The petitioner seeks bail in connection with Mahua
P.S. Case No. 264 of 2025 instituted for the offences under
Sections 137(2), 87, 64, 351, 3(5) of the Bharatiya Nyaya
Sanhita, 2023 and Section 4/6 of the POCSO Act.

3. Allegation against the accused persons is of enticing
away the informant and thereafter establishing physical
relationship with her forcefully.

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



the present case due to previous enmity and local party politics. Learned counsel further submitted that there is a delay of two days in lodging the FIR without any plausible explanation, which in itself, raises doubt over the prosecution story. Learned counsel further submitted that the entire prosecution case is false and concocted. It has been submitted on behalf of the petitioner that the petitioner is in custody since 02.03.2025 and has no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that victim in her statement recorded under Section 183 of the BNSS has corroborated the contents of the FIR, and therefore, the petitioner does not deserve to be released on bail. Learned APP further submitted that police, after completion of investigation, submitted charge-sheet under Sections 126(7), 96, 70(2), 351(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 6 of the POCSO Act against the petitioner.

6. Considering the aforesaid facts and circumstances of the case as also Section 183 BNSS statement of the victim, this Court is not inclined to grant bail to the petitioner at this stage.



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

(Rudra Prakash Mishra, J)

Alok Verma/-

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