

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.64444 of 2025

Arising Out of PS. Case No.-117 Year-2025 Thana- RAJAON District- Banka

Nitish Yadav @ Nitish Kumar S/o- Mangal Yadav Resident Of Village-
Kathrang, Ps- Rajoun, Dist-Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Manoj Kumar Mandal S/o- Chabbilal Mandal Village- Rasalpur Po-
Rajawar, Ps- Rajoun Dist- Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ravi Prakash Dwivedi
For the Opposite Party/s : Mr.Aditya Narayan Singh.1

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 24-02-2026 1. Heard the parties.

2. The petitioner apprehends his arrest in connection with
Rajoun P.S. Case No. 117 of 2025 dated 13.03.2025 registered
for the offence under Section 64 / 3(5) of the B.N.S. and
Section 4 of the POCSO Act.

3. As per the first information report on 12.03.2025 the
petitioner along with one another co-accused kidnapped the
informant's minor daughter aged about 13 years and committed
rape upon her.

4. Learned counsel for the petitioner submits that petitioner
has falsely been implicated in this case which would be evident
from the fact that in her statement recorded under Section 180



B.N.S.S. the victim has stated that she called the petitioner but in her statement recorded under Section 183 B.N.S.S. she has retracted from her earlier statement and has stated that she was kidnapped by the petitioner where the petitioner and his friend committed rape.

5. On the other hand, learned counsel for the State submits that offence alleged against the petitioner is serious in nature and from the statement of the informant's minor daughter recorded under Section 180 B.N.S.S. it is evident that 3-4 times the petitioner established physical relation with her. In the statement under Section 183 B.N.S.S. the victim girl has stated that apart from the petitioner, the co-accused also committed sexual act upon her at the behest of the petitioner.

6. Regard being had to the submission made by the parties, taking into consideration the nature of allegation made in the F.I.R. and the statement of the victim girl recorded during investigation, I am not inclined to grant anticipatory bail to the petitioner. The same is rejected.

(Anil Kumar Sinha, J)

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