IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63497 of 2026

CNR No. BRHC010902612026

Arising Out of PS. Case No.-286 Year-2024 Thana- BOCHAHAN District- Muzaffarpur

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Ankit Kumar Son of Mahesh Singh @ Bhola Resident of Village- Karanpur (South), Ward No.- 6, P.S.- Bochahan, District- Muzaffarpur.

... ... Petitioner/s

Versus

1. The State of Bihar
2. XXXX Daughter of -YYYY Resident of Village- Karanpur (South), Ward No. -6, P.S.- Bochahan, District- Muzaffarpur.

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Kameshwar Singh, Adv.
For the Informant : Mr. Shashank Shekhar Sharma, Adv.
Ms. Tripti, Adv.
For the Opposite Party/s : Mr. Madhuri Lata, APP

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CORAM: HONOURABLE MR. JUSTICE AJIT KUMAR

ORAL ORDER

3 04-11-2026 Heard the learned counsel for the petitioner and learned Additional Public Prosecutor for the State.

2. The petitioner is apprehending his arrest in connection with Bochahan P.S. Case No. 286 of 2024, F.I.R dated 24.12.2024 registered for the offences punishable under Sections 126(2), 127(2), 137(2), 70(2), 3(5) BNS and 6/8 POCSO Act.

3. According to prosecution case, the victim girl allegedly went for coaching on 23.12.2024 but did not return home, yet her parents neither informed the police nor made any

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efforts to search for her. Instead, she lodged a complaint before Bochahan P.S., despite the alleged place of occurrence, Akharaghat, falling under Sikandarpur P.S., and no information being given to Darbhanga Police. It has further been submitted that, due to previous enmity arising out of neighbourhood disputes, the informant's family has falsely implicated the petitioner to tarnish his family's reputation in the village and society.

4. Learned counsel for the petitioner submits that the victim was having a love affair with this petitioner and because of the alleged relation, the sexual relation is said to have been established by this petitioner, which fact is seriously opposed by the learned counsel for the opposite party no. 2 by submitting that the petitioner along with three of his friends committed rape of the victim.

5. There is no contradiction in the statement made by the informant insofar as the conduct of the petitioner is concerned. It has specifically been alleged that three friends of the petitioner took the victim to Darbhanga, where the petitioner, along with his three friends, committed rape upon her. Thereafter, they abandoned her at a place on the highway, from where she somehow managed to contact her parents, who

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subsequently took her home. Further, the medical report also lends support to the prosecution's case regarding the commission of the alleged rape.

6. Learned APP for the State opposes the prayer for anticipatory bail application.

7. Considering the nature and gravity of the allegations, as well as the consistency in the statements made by the victim at all stages of the proceedings, this Court is not inclined to grant the privilege of anticipatory bail to the petitioner. The victim has consistently attributed the commission of rape to the petitioner, and the same has also been specifically stated by her before the learned Judicial Magistrate First Class (JMFC) while recording her statement under Section 183 of the BNSS.

8. Accordingly, the present anticipatory bail petition is dismissed.

(Ajit Kumar, J)

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