IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.66646 of 2026

CNR No. BRHC010930052026

Arising Out of PS. Case No.-86 Year-2025 Thana- Pothia District- Katihar

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Bablu Yadav Son of Late Vidhi Yadav Resident of Village- Satbehari, Chandpur, P.S.- Pothiya, District- Katihar.

... ... Petitioner/s

Versus

1. The State of Bihar
2. Usha Devi Wife of Akhlesh Sharma Resident of Village- Satbehari, Ward No. 10, P.S.- Pothiya, District- Katihar.

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Md Musowir, Advocate
For the Sate : Ms. Rina Sinha, APP
For the Informant : Mr. Sanjeev Kr. Singh, Advocate

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA

ORAL ORDER

4 04-11-2026 Heard Mr. Md Musowir, learned counsel for the petitioner, Mr. Sanjeev Kr. Singh, learned counsel for the Informant and Ms. Rina Sinha, learned A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since 28.09.2025 in connection with Pothiya P.S. Case No. 86 of 2025, FIR dated 18.08.2025 registered for the offence under Section 64 of the Bharatiya Nyay Sanhita, 2023.

3. According to the prosecution, it is alleged that the petitioner committed rape upon the niece of the informant.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and he has falsely been made accused in this case and the petitioner is rotting in

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judicial custody since 28.09.2025.

5. Learned A.P.P. for the State as well as learned counsel for the Informant have vehemently opposed the prayer for bail of the petitioner and submit that as per allegation in the FIR the petitioner committed rape forcefully upon the victim and the statement of the victim was recorded under Section 183 of BNSS in which she fully supported the case of the prosecution and apart from that it is also alleged that the accused forcefully took the victim to a tubewell and made her wash her private parts and then the accused fled away from the place of occurrence.

6. Considering the facts and circumstances of the case and taking into consideration the nature of allegation, I am not inclined to enlarge the petitioner on bail in connection with Pothiya P.S. Case No. 86 of 2025, pending in the Court of Additional District Judge, VI-cum-Special Judge, POCSO, Katihar.

7. Prayer is refused.

8. However the learned Trial Court is directed to expedite the trial and conclude the same at the earliest.

(Rajesh Kumar Verma, J)

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