IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.67251 of 2026

CNR No. BRHC010933292026

Arising Out of PS. Case No.-186 Year-2026 Thana- MANIYARI District- Muzaffarpur

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Md. Hamid S/O Md. Muslim @ Gonai R/O Gram and P.O. and Panchayat Ratnauli, P.S.- Maniyari, Distt.- Muzzaffarpur, Bihar.

... ... Petitioner/s

Versus

1. The State of Bihar
2. X W/O Y R/O Gram and P.O. and Panchayat- Ratnauli, P.S.- Maniyari, Distt.- Muzaffarpur, Bihar.

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Chandan Kumar, Advocate
For the State : Mr. Usha Kumari 1, APP
For the Informant : Mr. Raju Kumar, Advocate

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CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA

ORAL ORDER

4 04-11-2026 Heard learned counsel for the petitioner and learned APP for the State as well as learned counsel for the informant.

02. In the present case, the petitioner seeks bail in connection with Maniyari P.S. Case No. 186 of 2026 registered for the alleged offences under Sections 65(2), 351(2) of the Bharatiya Nyaya Sanhita, 2023 and Sections 4 and 6 of the Protection of Children from Sexual Offences Act, 2012 and Sections 3(1)(r), 3(1)(s) and 3(2)(va) of the Scheduled Castes and Scheduled Tribes (Prevention of Atrocities) Act, 1989.

03. As per prosecution case, the petitioner was caught hold of while committing unnatural sexual act with the four year

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old daughter of the informant.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. No occurrence as alleged has ever taken place. It is not believable that the petitioner would commit such offence in an *Aganwadi* Center where there is presence of *Aganwadi* worker and children. The medical report does not support the allegation against the petitioner. Learned counsel further submits that the petitioner is aged about 25 years and he is having clean antecedent. Learned counsel also submits that there is variation in the statement of the informant and the witnesses regarding the commission of alleged act by the petitioner. The petitioner is in custody since 09.06.2026 and charge-sheet has been submitted.

05. Learned APP for the State as well as learned counsel for the informant vehemently oppose the submission made on behalf of the petitioner. Learned counsel for the informant submits that the statements of the informant and the eye witness have been recorded and both of them supported the prosecution case. It has also come in their statement that at relevant time, there was no one at the *Aganwadi* Center and the child was all alone. Learned counsel also submits that the child was only four years old and petitioner has committed sodomy

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with the child for which there is specific statement of the witness who rescued the child from the petitioner.

06. Having regard to the facts and circumstances and considering the serious and grave nature of allegation, I am not inclined to enlarge the petitioner on bail and hence, his prayer for bail is rejected.

07. The learned trial court is directed to expedite the trial and conclude the same at the earliest.

(Arun Kumar Jha, J)

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