

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69668 of 2025

Arising Out of PS. Case No.-130 Year-2025 Thana- KOPA District- Saran

Rohit Prasad @ Rohit Kumar @ Rohit S/o- Daroga Prasad Resident of
Village- Kasai Tadwa PO- Tarwan Pojhiya PS- Kopa District- Saran at Chapra
Bihar 841205

... .. Petitioner/s

Versus

1. The State of Bihar
2. [REDACTED] PO- Tarwan Pojhiya PS- Kopa Dist-
Saran at Chapra

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Kumar, Advocate
For the Opposite Party/s	:	Mrs. Usha Kumari I, APP
For the Informant	:	Mr. Krishna Kumar Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 02-02-2026 Heard learned counsel for the petitioner, learned APP
for the State and learned counsel for the Informant.

2. The petitioner has prayed for regular bail in a case registered for the offence punishable under Section 64 of the BNS, under Section 4 of the POCSO Act and under Sections 3(1)(r)(s)(w) and 3(2)(va) of the SC/ST Act.

3. The case of the prosecution, in short, is that while the informant was alone at her home, the petitioner entered in her house and committed rape with her.

4. Learned counsel for the petitioner submits that during course of investigation, the victim has given her statement under Sections 180 and 183 of the BNSS. In her



statement recorded under Section 180 of the BNSS she has stated that the petitioner has committed rape with her whereas in her statement recorded under Section 183 of the BNSS she has stated that the petitioner disrobed her and slept over her. In medical examination the Doctors have found no sign of any external injury on any body part of the informant. Learned counsel for the petitioner has further submitted that the petitioner is neighbour of the informant. The allegations levelled against the petitioner are false and frivolous. Learned counsel for the petitioner has further submitted that there is no objective finding regarding rape in the medical examination of the victim and doctors have opined that there is no evidence to suggest commission of recent sexual intercourse. Learned counsel for the petitioner has lastly submitted that the petitioner is having no criminal antecedent and is in judicial custody since 29.05.2025.

5. Learned Additional Prosecutor for the State and learned counsel for the Informant have vehemently opposed the bail application of the petitioner.

6. Considering the aforesaid facts and circumstances of the case, this court is inclined to enlarge the petitioner on bail. The above named petitioner is directed to be released on



bail in connection with Kopa P.S. Case No. 130 of 2025 on
furnishing bail bond of Rs.10,000/- (ten thousand) with two
sureties of the like amount each to the satisfaction of learned
Exclusive Special Additional Sessions Judge, POCSO, Saran at
Chapra.

(Ashok Kumar Pandey, J)

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