

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.69170 of 2025

Arising Out of PS. Case No.-64 Year-2025 Thana- BANMANKHI District- Purnia

Chandan Rishi S/O Sri Rama Rishi Resident of Dhokardhara ward no. 4, P.S.-
Banmankhi, Dist.- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar
2. Fekani Devi W/O Sri Mantu Rishi Resident of Vill.- Dhokardhara ward no.
4, P.S.- Banmankhi, Dist.- Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Amit Kumar Anand, Adv.
For the Opposite Party/s : Mr.Ram Priya Sharan Singh, APP

CORAM: HONOURABLE JUSTICE SMT. SONI SHRIVASTAVA
ORAL ORDER

5 11-03-2026 Heard learned counsel for the petitioner and learned
APP for the State. No one appears on behalf of opposite party
no.2 despite valid service of notice.

2. A prayer for bail has been made on behalf of the
petitioner in connection with Special Case No.94 of 2025,
arising out of Banmankhi P.S. Case No. 64 of 2025 registered
under section 65(1) of BNS, 2023 and Section 4 of POCSO Act.

3. Allegation in the F.I.R is that petitioner committed
rape with the informant's minor daughter.

4. Learned counsel for the petitioner submits that
petitioner has been falsely implicated in the present case
because of dispute between the family members of petitioner



and victim. It has further been submitted that a perusal of the F.I.R would indicate that no alarm was raised by the victim and it was her father who found her in the garden of the house where the petitioner is said to have engaged in sexual assault with her. Further, medical examination report shows that age of the victim to be between 14 to 17 years. No injury was found on the private parts of the body as also no spermatozoa was detected in the vaginal swab. The petitioner is in custody since 07.03.2025 with no criminal antecedent and after framing of charge no progress has been made in the case.

5. The application for bail is opposed by learned A.P.P. for the State on the ground that victim is a minor girl aged about 13 years, as per her own statement recorded under Section 183 of BNSS and also as per assessment of Court, in which she has supported the allegations made in the F.I.R with regard to sexual assault made upon her by the petitioner.

6. Taking into consideration the aforesaid facts and circumstances of the case and specially considering the statement of the victim recorded under Section 183 of BNSS, I am not inclined to grant bail to the petitioner at this stage and the application is rejected.

7. However, liberty is granted to the petitioner to



renew his prayer for bail if no substantial progress would take place in the case within a period of six months.

(Soni Shrivastava, J)

Harsh/-

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