

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70620 of 2025

Arising Out of PS. Case No.-53 Year-2025 Thana- Bhimnagar District- Supaul

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1. Gudiya Devi W/o- Jitendra Prasad R/v- Pachpakariya Kala Dumra Tulsi Siwan Ps- Tarwara Dist- Siwan
 2. Rubeena Khatoon W/o- Md. Sahanwaj R/v- Rasidpur W.No-6, Ps- Khajoli Dist- Madhubani
 3. Jitendra Prasad @ Jitendra S/o- Jagarnath Prasad R/v- Pachpakariya Kala Dumra Tulsi Siwan Ps- Tarwara Dist- Siwan

... .. Petitioner/s

Versus

1. The State of Bihar
2. Bhawna (UID No. 2081642), D/O- Rajendra singh R/O village- Khampur, P.O.- Khampur, P.S.- Alipur, Delhi-110036

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Nafisu Zzoha, Advocate
For the Opposite Party/s :	Mr. Amitesh Kumar, APP
	Mr. Manoj Kumar Singh, Advocate
	Mr. Ankit Kumar Singh, Advocate
	Mr. Prabhat Kumar, Advocate
	Mr. Sanjay Kumar Singh, Advocate
	Mr. Rana Vikram Singh, Advocate

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 21-01-2026 Heard learned counsel for the parties.

2. The petitioners have preferred this application for grant of regular bail in connection with Bhimnagar P.S. Case no. 53 of 2025 registered under sections 140(3), 143, 144 and 3(5) of the Bharatiya Nyaya Sanhita, 2023 and sections 4, 6 and 12 of the POCSO Act.

3. As per the prosecution case, the petitioners are said to have kidnapped the minor girl for the purpose of working in



an orchestra. There is further allegation of the petitioner no. 3 having committed rape on her.

4. Learned counsel for the petitioners submits that the petitioners have been falsely implicated in the case. No such occurrence as alleged, specially against petitioner no. 3, has taken place. The petitioners have no criminal antecedent and are in custody since 13.7.2025. Chargesheet has been submitted in the case. It is further submitted that co-accused Mithlesh Kumar Premchandra Bhagat has been enlarged on bail vide order dated 22.12.2025 passed in Cr. Misc. no. 65877 of 2025.

5. The application for bail is opposed by learned counsel appearing for the opposite party no. 2. It is submitted that there is direct allegation against the petitioners and the same has been supported by the victim girl in her statement recorded under section 183 of the B.N.S.S.

6. Having heard learned counsel for the parties and taking into consideration the allegation of the petitioners having kidnapped the minor girl together with the allegation of rape having been committed by the petitioner no. 3 and the same having been supported by the minor victim in her statement under section 183 B.N.S.S., the Court is not inclined to enlarge the petitioners on bail and the application is rejected.



7. So far as petitioner nos. 1 and 2 are concerned, liberty is granted to them to renew their prayer for bail after three months or after framing of charge, whichever is later.

(Partha Sarthy, J)

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