

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.73698 of 2025

Arising Out of PS. Case No.-44 Year-2024 Thana- MAHILA PS District- Aurangabad

Amit Singh @ Amit Kumar S/o Late Devkumar Singh R/o Mohalla- Sainik Nagar, Aurangabad, P.S.- Town P.S. Aurangabad, District- Aurangabad (Bihar)

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXX R/o Mohalla- Sainik Nagar, Aurangabad, P.S.- Town P.S. Aurangabad, District- Aurangabad (Bihar)

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate
For the Opposite Party/s : Mr. Narendra Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

4 28-01-2026 Heard learned counsel for the petitioner and learned APP for the State. Perused the case diary.

2. The petitioner seeks bail in connection with POCSO G.R. No. 109 of 2024, arising out of Mahila P.S. Case No. 44 of 2024 instituted for the offences under Sections 376D, 354C, 506, 34 of the Indian Penal Code and Sections 4, 6 of the POCSO Act.

3. Allegation against the accused persons including the petitioner is of commission of rape upon the informant's minor daughter.

4. Learned counsel for the petitioner submitted that the petitioner is innocent and has falsely been implicated in the



present case. Learned counsel further submitted that the petitioner is being dragged in this case merely due to previous dispute between the parties. He further contended that no medical examination of the victim was conducted to ascertain the factum of the occurrence. It has been submitted on behalf of the petitioner that the petitioner is in custody since 06.05.2025 and has no criminal antecedent.

5. Learned A.P.P. for the State vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that victim in her statement recorded under Section 164 of the Cr.P.C. has corroborated the contents of the FIR, and therefore, the petitioner does not deserve to be released on bail.

6. Considering the aforesaid facts and circumstances of the case as also Section 164 Cr.P.C. statement of the victim, this Court is not inclined to grant bail to the petitioner at this stage.

7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

(Rudra Prakash Mishra, J)

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