

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76032 of 2025

Arising Out of PS. Case No.-45 Year-2025 Thana- ISUAPUR District- Saran

Sonelal @ Budhawa S/o Gautam Mahto R/o Vill.- Kerawa, P.S. - Isuapur,
District - Saran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Munna Nat Jangali Nat R/o Village-Parsa, P.S.-Isuapur, District-Saran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha, Adv.
For the Opposite Party/s : Mr. Bharat Bhushan, APP

CORAM: HONOURABLE MR. JUSTICE RAJIV ROY
ORAL ORDER

4 24-02-2026 Heard Mr. Sanjay Kumar Jha, learned Counsel for
the petitioner and learned APP for the State.

2. The petitioner apprehends his arrest in connection with Isuapur P.S. Case No. 45 of 2025 for the offence registered under sections 70(2) of BNS, Section 4, 6 of the POCSO Act and Section 3(i)(r)(s)(w)/ 3(2)(Va) of the SC/St Act.

3. As per the prosecution story, the informant alleged that his minor daughter returned home crying and informed that the named accused persons gang raped her. This led to the FIR.

4. In this case, the Co-ordinate Bench had called for the case diary which is on record and Dipak Kumar who was taken into custody made statement that during Dussera Puja, they wanted to sexually assault someone and all the five persons



named in the FIR were present at the spot when this petitioner caught hold of the victim girl and they repeatedly raped her.

4. Learned Counsel for the petitioner submits that the girl in the statement under Section 183 of the BNS has named Sonu Kumar, not this petitioner.

5. Learned APP for the State, Mr. Bharat Bhushan submits that five names are there in the FIR which include the petitioner, the confessional statement of Dipak Kumar clearly shows that it was the petitioner who caught hold of the victim girl which followed the rape and the medical report shows that she was only 13-14 years of age at the time of occurrence.

6. Considering the submissions of the parties as also the materials on record, minor discrepancy in naming the person cannot dilute the allegation that has come against the petitioner that he along with four others gangraped a minor child. In that background, no relief can be granted.

7. The anticipatory bail application stands rejected.

(Rajiv Roy, J)

Vijay Singh/-

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