

**IN THE HIGH COURT OF JUDICATURE AT PATNA  
CRIMINAL MISCELLANEOUS No.75251 of 2025**

Arising Out of PS. Case No.-156 Year-2023 Thana- THAKURGANJ District- Kishanganj

Fahim Asraf @ Fahim Ashrafi S/o Rasmuddin R/o Village - Bhogdabar, P.S -  
Thakurganj, District – Kishanganj ... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. X D/o Jeemal (Informant) R/o Village - Khela Bhatta, P.S - Thakurganj,  
District - Kishanganj

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Bhola Prasad, Advocate

For the Opposite Party/s : Mr.Nawal Kishore Prasad, APP

**CORAM: HONOURABLE MR. JUSTICE RAJIV ROY**  
ORAL ORDER

3      20-02-2026                      Heard Bhola Prasad, learned counsel for the petitioner  
and the State.

2. The petitioner is apprehending arrest in connection with POCSO Case No. 05 of 2024 arising out of Thakurganj P.S. Case No. 156 of 2023 instituted under Sections 341, 323, 506, 452, 376(3), 34 of the Indian Penal Code and section 4 of POCSO Act, 2012 lodged on 17.7.2023 by the informant, Suman.

3. As per the prosecution story, the informant alleged that while she was watching mobile and the door was opened, the petitioner entered and on the point of knife, committed rape. As she screamed, the mother came and locked the door, villagers were called and thereafter, he was caught. However, the family members of the petitioner took him away. This followed the FIR.



4. Earlier, the coordinate bench called for the case diary and the statement of the victim girl on 03.11.2025 which has been received.

5. The statement of the victim girl shows that she has reiterated the allegation made in the FIR. The record shows that she was minor at the time of occurrence.

6. Learned counsel for the petitioner beside submitting the innocence of the petitioner by way of Annexure-04 submits that the local Panchayat on 26. 06.2024 took note of the fact that in different a different case, the girl took cash amount and undertook not to take any adverse stand against them (Naiyab Hussain). He submits that the girl is in the habit of implicating the innocence persons.

7. Learned APP with the help of case diary and the statement of the victim girl submits that she was minor and she has reiterated the earlier statement made in the FIR.

8. Considering the gravity of the allegation against the petitioner, the anticipatory bail application stands rejected.

**(Rajiv Roy, J)**

Ravi/-

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