

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76545 of 2025

Arising Out of PS. Case No.-127 Year-2025 Thana- BOCHAHAN District- Muzaffarpur

Nikhil Kumar, Son of Late Lalan Patel @ Late Lalan Ray @ Late Lalan Patail, Resident of Village- Ram Das Majhauri, P.S.- Bochaha, District- Muzaffarpur,

... .. Petitioner/s

Versus

1. The State of Bihar
2. [REDACTED] Resident of Village- Ram Das Majhauri, P.S.- Bochaha, District- Muzaffarpur,

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bhavesh Kumar, Advocate
For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

5 08-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for bail in connection with Bochaha P.S. Case No.127 of 2025 registered for the offence punishable under Sections 64 of B.N.S. and Sections 4 & 6 of POCSO Act.

3. The case of the prosecution, in short, is that the petitioner has committed carnal intercourse with the minor son of the informant.

4. It is submitted by learned counsel for the petitioner



that petitioner is innocent and has been falsely implicated in the present case. No such offence has been committed. Petitioner is having no criminal antecedent and he is languishing in judicial custody since 06.06.2025.

5. Learned APP appearing for the state has opposed the prayer of regular bail and submitted that during course of investigation, the victim has given his statement under Section 183 of the B.N.S.S. wherein he has categorically supported the case of the prosecution. Victim has also given his statement under Section 180 of the B.N.S.S. and has also supported the case of the prosecution. During course of investigation, medical examination of the victim was conducted and from perusal of the medical examination report, it is clear that the doctor conducting examination of the person of the victim has found one linear tear 1/2" length at 12 O' clock position in anal canal. This objective finding of the doctor conducting the medical examination of the victim corroborates with the allegations.

6. Having heard the learned counsel for the parties and considering the nature of allegation, this court is not inclined to enlarge the petitioner on bail at this stage and, as such, his prayer for bail stands rejected.

7. However, Petitioner may renew his prayer for bail



after six months.

8. Learned trial Court is directed to conclude the trial
in view of Section 35 of the POCSO Act.

(Ashok Kumar Pandey, J)

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