

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.80203 of 2025

Arising Out of PS. Case No.-380 Year-2025 Thana- MUFFASIL District- West Champaran

Prince Kumar Patel @ Price Kumar S/o- Motilal Patel @ Mukhlal Patel R/v-
Loharpatti W.No-35, Ps- Bettiah Muffasil Dist- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. [REDACTED] R/v- Singhachhapar Ps- Bettiah
Muffasil Dist- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sachida Nand Rai, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

7 04-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in connection with Bettiah Muffasil P.S. Case No. 380 of 2025 instituted for the offence under Sections 115(2), 127(2), 352, 351(1), 137, 140(1) and 3(5) of BNS.

3. The case of the prosecution is that the minor daughter of the informant went to ease herself and it is alleged that the petitioner along with others has kidnapped her. The informant came to know that her daughter was kidnapped by the petitioner and others.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and committed no offence. He has further submitted that during course of investigation, the victim has given her statement recorded under Sections 180 and 183 of BNSS. In her statement under Section 180 of BNSS, she has stated that she was having affair with the petitioner and she has gone with him on her own volition but in her statement recorded under Section 183 of BNSS, she has taken u-turn and has stated that she was forcibly taken away by the petitioner and the petitioner has committed rape with her. Learned counsel has further submitted that it is a case of elopement and medical also does not support. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent. Moreover, he is languishing in judicial custody since 15.07.2025.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail and has submitted that the victim has supported the case of the prosecution in her statement recorded under Section 183 of BNSS and from perusal of the medical report, it is clear that the doctor has found hymen ruptured and has opined that possibility of recent sexual intercourse cannot be ruled out.

6. Having heard the learned counsel for the parties



and considering the facts and circumstances of this case as stated above, 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, the petitioner will be at liberty to renew his prayer for bail after six months if the trial is not concluded.

8. Learned trial court is directed to dispose of the trial in view of Section 35 of the POCSO Act.

(Ashok Kumar Pandey, J)

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