

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.79680 of 2025

Arising Out of PS. Case No.-434 Year-2024 Thana- MAJHAULIA District- West Champaran

Rahul Kumar S/o- Upendra Prasad Resident of Village- Karamawa Ward no
7, P.s.- Majhauriya, District- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. x D/o- Mukesh Kumar R/v- Karamawa W.No-7, Ps- Majhauriya Dist- West
Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Mayank Mohan, Advocate
For the Opposite Party/s	:	Mr. Mritunjay Kumar Nirala, APP
For the Informant	:	Mr. Adarsh Ranjan, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 13-03-2026 Heard learned counsel for the petitioner, learned
APP for the State, learned counsel for the informant and perused
the case diary.

2. The petitioner seeks bail in connection with
Majhauriya P.S. Case No. 434 of 2024, instituted for the offences
punishable under Sections 376, 341, 323, 504, 34 of the Indian
Penal Code and Section 4/6 of the POCSO Act.

3. Earlier, anticipatory bail of the petitioner has been
rejected by a co-ordinate Bench of this Court vide order dated
11.02.2025 passed in Cr. Misc. No. 6127 of 2025.



4. The prosecution case, in short, is that the petitioner established physical relationship with the informant (victim) on the pretext of marriage.

5. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Learned counsel for the petitioner also submits that there is delay of 41 days in lodging the FIR. It is next submitted that there was love affair between the informant and the petitioner and for this reason the petitioner has been falsely implicated in this case. It is further submitted that the medical report of the informant does not corroborate with the prosecution case. The petitioner is in custody since 19.09.2025 and has got no criminal antecedent.

6. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner. It is also submitted that the victim is minor and she has supported the prosecution case in her statement recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita. It is further submitted that there is specific allegation levelled against the petitioner. Hence, the petitioner does not deserve the privilege of bail.



7. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.

8. The prayer is rejected. The trial Court is directed to expedite the Trial.

(Rudra Prakash Mishra, J)

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