

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.84538 of 2025

Arising Out of PS. Case No.-68 Year-2025 Thana- HASAN BAZAR District- Bhojpur

Bittu Ojha @ Shailendra Kumar Ojha S/o- Late Janardan Ojha Resident of
village- Sahjeni PO and PS- Hasan bazar Dist- Bhojpur at Ara

... .. Petitioner

Versus

1. The State of Bihar
2. X D/o- Y R/v- Sahejeni Po Ps- Hasan Bazar Dist- Bhojpur at Ara

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr. Chandrashekhar Azad, Advocate
For the Opposite Party/s : Mr. Rajendra Nath Jha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 25-03-2026 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
07.07.2025 in connection with Hasan Bazar P.S. Case No. 68 of
2025 for the offences punishable under Sections 65(1), 109(1),
332(b), 351(3) and 3(5) of BNS and Sections 4 and 6 of POCSO
Act.

3. The case of the prosecution, in brief, is that on
03/07/2025, the parents of the informant had gone off to
Dhanbad, Jharkhand in connection with a case, and she was
alone in her house. It is alleged that on 05/07/2025, at nearly 2
am, the petitioner trespassed the house of the informant (victim)



from the roofway, when she raised alarm, he did not flee, rather he gagged her mouth with some cloth and committed rape on her. It is further alleged that one of the co- accused Mansa Devi facilitated the entrance of the petitioner in the room of the informant/ victim.

4. Learned counsel for the petitioner submits that petitioner has clean antecedent and is innocent and she has falsely been implicated in the present case. It is further submitted that the allegation as alleged in the FIR is forged and fabricated and the petitioner has not committed any offence as alleged in the FIR.

5. The learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner and submits that victim in her statement recorded under Section 183 of BNSS has supported the case of the prosecution that the petitioner has committed rape upon her.

6. Considering the aforesaid facts that there is direct allegation against the petitioner and also the fact that the victim in her statement recorded under Section 183 of BNSS has supported the case of the prosecution, I am not inclined to enlarge the petitioner on bail in connection with Hasan Bazar P.S. Case No. 68 of 2025 pending in the court of learned Special



Judge, Exclusive POCSO Court-cum-ASJ-VI, Bhojpur.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Gaurav Sinha/-

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