

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87408 of 2025

Arising Out of PS. Case No.-38 Year-2025 Thana- MAHILA P.S. District- Bhagalpur

Narendra Mandal S/o Late Gulabi Mandal R/o Village - Jhawakothi, Bari
Khanjarpur (Jhowakothi Bari Khanjarpur)), P.S - Barari, District - Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. X W/o Y R/o Village - Jhawakothi, Bari Khanjarpur, P.S - Barari, District -
Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Dhananjay Kumar Pandey, Advocate
For the Opposite Party/s : Mr.Anil Prasad Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 30-03-2026 Heard Mr.Dhananjay Kumar Pandey, learned
counsel for the petitioner, learned counsel for the informant and
Mr.Anil Prasad Singh, learned Additional Public Prosecutor for
the State.

2. The petitioner seeks bail, who is in custody since
01.07.2025 in connection with Mahila P.S.Case No. 38 of 2025,
F.I.R. dated 30.06.2025 registered for the offence punishable
under Sections 65(1),351(2),(3) of BNS and Sections 4 and 6 of
the POCSO Act.

3. Allegation against the petitioner is that he
continuously established physical relationship for many months
by threatenign the victim and she was found two months



pregnant.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent. The allegation as alleged in the FIR is false and fabricated and the petitioner has not committed any offence as alleged in the FIR. In fact the petitioner is step-father of the victim and allegation as alleged in the FIR is false and fabricated.

5. Learned counsel for the informant and learned A.P.P. for the State, on the other hand, have vehemently opposed the prayer for bail of the petitioner and submits that the statement of the victim was recorded under Sections 180 and 183 of BNSS, 2023 in which she has fully supported the case of the prosecution and categorically stated that the petitioner has committed rape upon her, apart from that, the medical examination of the victim suggests that on the date of examination she was pregnant and date of birth of the victim is 03.01.2012 which suggests that on the date of occurrence she was minor.

6. Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Mahila P.S. Case No. 38 of 2025, pending in the court of learned Exclusive Special Court of POCSO-cum-District and Additional



Sessions Judge-VI, Bhagalpur.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Nitesh/-

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