

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.87376 of 2025

Arising Out of PS. Case No.-394 Year-2025 Thana- PATAHI District- East Champaran

Chandan Kumar S/O Rameshwar Ram Resident of Village- Gonahi, P.S-
Patahi, District- East Champaran.

... .. Petitioner/s

Versus

1. The State of Bihar
2. X D/O Y R/O Village- Gonahi, P.S- Patahi, Distt.- East Champaran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Ms. Sharda Nand Mishra, Advocate
For the State	:	Mr. Ahmad Ali, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 09-01-2026 Heard Ms. Sharda Nand Mishra, learned counsel for
the petitioner and Mr. Ahmad Ali, learned APP for the State.

2. The petitioner is apprehending his arrest in connection with Patahi P.S. Case No. 394 of 2025, F.I.R. dated 27.08.2025 registered for the offences punishable under Sections 64(1), 318(4), 91, 115(2), 352, 351(2) and 3(5) of the B.N.S., 2023 and Sections 4 and 6 of the POCSO Act.

3. The prosecution case, in brief, is that on the pretext of marriage, the petitioner established physical relationship with the informant for past one year and when the informant got pregnant and her pregnancy progressed to five months, the accused petitioner started behaving badly with her. On 23.08.2025, the accused petitioner fraudulently administered her



medicine as a result of which she lost her senses and then he took her to somewhere and got her pregnancy terminated and then dropped her to her house.

4. Learned counsel for the petitioner submits that the petitioner having clean antecedent and he has been falsely implicated in the present case. He further submits that the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offence as alleged in the F.I.R. and in fact, the petitioner was in love with the victim. She further submits that the date of occurrence as alleged in the F.I.R. is 23.08.2025 but the present F.I.R. was instituted on 27.08.2025 after delay of four days afterthought.

5. Learned counsel for the State, on the other hand, opposed the prayer for anticipatory bail of the petitioner and submits that the age of victim is 16 years of old and apart from aforesaid the statement of the victim girl was recorded under Section 164 of the Cr. P.C./ Section 183 of BNSS, 2023 in which she has fully supported the case of the prosecution and apart from that number of witnesses have supported the case of the prosecution.

6. Considering the aforesaid facts and circumstances of the case as well as there is direct and specific allegation



against the petitioner, I am not inclined to grant the privilege of anticipatory bail to the petitioner in connection with Patahi P.S. Case No. 394 of 2025 pending in the Court of learned 7th District & Additional Sessions Judge-cum-Special Judge, POCSO Act, East Champaran, Motihari.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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