

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90191 of 2025

Arising Out of PS. Case No.-19 Year-2025 Thana- Parihara District- Begusarai

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Balo Mahto @ Baleshwar Mahto S/O Late Prabhu Mahto R/O Village- Ward
no. 1, Malkua, Po- Parihara, PS-Parihara, Distt-Begusarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. X D/O Y R/O Village- Ward no. 1, Malkua, PS-Parihara, Distt-Begusarai.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr. S.K. Lal, Sr. Advocate
		Mr. Pritish Kumar Lal, Advocate
For the Opposite Party/s	:	Mr. Rana Randhir Singh, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 19-03-2026 Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Parihara P.S. Case no. 19 of 2025 registered under sections 64 and 351(2) of the Bharatiya Nyaya Sanhita, 2023 and sections 3 and 4 of the POCSO Act.

3. As per the prosecution case, the informant states that in the night of 7.5.2025 when she went out to ease herself, the petitioner committed rape on her.

4. Learned Senior counsel for the petitioner submits that the petitioner who happens to be a 65 years old elderly man has been falsely implicated in the case because of village politics. While the occurrence is alleged to have taken place on 7.5.2025, information



was given to the police only on 21.5.2025 without any explanation for the delay. The informant does not mention her age in the FIR. The petitioner is in custody since 4.6.2025 and has no criminal antecedent.

5. The application for bail is opposed by learned APP for the State who submits that there is direct allegation against the petitioner in the FIR. The age of the victim was assessed to be 17 years in course of investigation and the victim has supported the prosecution case in her statement under section 183 of the B.N.S.S.

6. Having heard learned counsel for the parties and taking into consideration the allegation against the petitioner in the FIR together with the contents of the statement of the victim recorded under section 183 of the B.N.S.S. wherein she has supported the allegation of the petitioner having committed rape on her, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

(Partha Sarthy, J)

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