

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.91094 of 2025

Arising Out of PS. Case No.-184 Year-2025 Thana- MUSAHARI District- Muzaffarpur

Umesh Kumar S/O Manoj Ray R/O Village - Rajwara Bhagwan, P.S-
Musahari, District- Muzaffarpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. X W/O Late Dharmendra Ray R/O Vill.- Rajwara, P.S- Musahari, Dist-
Muzaffarpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ravi Ranjan, Advocate
For the Opposite Party/s	:	Mr.Nirmal Kumar Sinha, APP
For the Informant	:	Mr. Nilotpal Sharma, Advocate

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 16-03-2026 Heard Mr.Ravi Ranjan, learned counsel for the

petitioner, Mr. Nilotpal Sharma, learned counsel for the

informant and Mr.Nirmal Kumar Sinha, learned Additional

Public Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
13.08.2025 in connection with Musahari P.S.Case No. 184 of
2025, F.I.R. dated 02.08.2025 registered for the offence
punishable under Sections 64,351(2) of BNS,2023 and Section
4/6 of POCSO Act.

3. Allegation against the petitioner is that he
committed penetrative sexual assault with the minor daughter
of the informant.



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 and petitioner has been made accused in the present case due to some petty dispute. It appears from the FIR that the date of occurrence as alleged in the FIR is 01.08.2025 but the present FIR has been instituted on 02.08.2025 after delay of one day afterthought only to falsely implicate the petitioner in the present case.

5. Learned counsel for the informant and learned A.P.P. for the State have vehemently opposed the prayer for bail of the petitioner and submits that from a bare perusal of the FIR it appears that there is direct and specific allegation against the petitioner that he has committed rape upon the victim, apart from that, the statement of the victim was recorded under Section 183 of BNSS,2023 in which she has categorically stated that the petitioner has committed rape upon her and medical report of the victim also supports the allegation as alleged in the FIR.

6. Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Musahari



P.S.Case No. 184 of 2025, pending in the court of learned
Exclusive Special Judge POCSO Court No.III, Muzaffarpur.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Nitesh/-

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