

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13 of 2026

Arising Out of PS. Case No.-264 Year-2025 Thana- MAHUA District- Vaishali

Chhotu Kumar Son of Suresh Paswan R/o Village - Laxamipur, P.S. -
Bariyarpur(Sakaru), Dist. - Muzaffarpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mrs. X D/o Md. Isha R/o Village - Beruadih, P.S. - Bariyarpur, Dist. -
Muzaffarpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sabal Kumar Jha, Advocate

For the Opposite Party/s : Mr. Abhay Kumar, APP

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

3 11-03-2026 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Mahua P.S.
Case No. 264 of 2025 instituted for the offences under Sections
137(2), 87, 64, 351, 3(5) of the Bharatiya Nyaya Sanhita, 2023
and Section 4/6 of the POCSO Act.

3. Allegation against the accused persons is of enticing
away the informant and thereafter establishing physical
relationship with her forcefully.

4. Learned counsel for the petitioner submitted that the
petitioner is an innocent and has falsely been implicated in the
present case due to previous enmity and local party politics.



Learned counsel further submitted that there is a delay of two days in lodging the FIR without any plausible explanation, which in itself, raises doubt over the prosecution story. Learned counsel further submitted that the entire prosecution case is false and concocted. It has been submitted on behalf of the petitioner that the petitioner is in custody since 05.03.2025 and has one criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that victim in her statement recorded under Section 183 of the BNSS has corroborated the contents of the FIR, and therefore, the petitioner does not deserve to be released on bail. Learned APP further submitted that police, after completion of investigation, submitted charge-sheet under Sections 126(7), 96, 70(2), 351(2) of the Bharatiya Nyaya Sanhita, 2023 and Section 6 of the POCSO Act against the petitioner. Bail of other similarly situated co-accused has been rejected by this Court vide order dated 20.02.2026, passed in Cr. Misc. No. 53962 of 2025.

6. Considering the aforesaid facts and circumstances of the case as also Section 183 BNSS statement of the victim, this Court is not inclined to grant bail to the petitioner at this stage.



7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, *rejected*.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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