

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3212 of 2026

Arising Out of PS. Case No.-62 Year-2025 Thana- MAHILA P.S. District- Samastipur

Niraj Kumar @ Pankaj Kumar S/O Pankaj Das R/O Vill.- Dighara, P.S.- Pusa,
District- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXX W/O YYY R/O Vill.- Harpur Pusa, P.S.- Pusa, District- Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Shashank Shekhar, Advocate
For the State	:	Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 20-01-2026 Heard Mr. Shashank Shekhar, learned counsel for the

petitioner and Mr. Nawal Kishore Prasad, learned APP for the

State.

2. Petitioner seeks bail, who is in custody since
10.08.2025, in connection with Mahila P.S. Case No. 62 of 2025,
F.I.R. dated 09.08.2025 registered for the offences punishable
under Sections 64 and 65(2) of the B.N.S. and Sections 4 and 6 of
the POCSO Act.

3. Allegation against the petitioner is that he has
committed rape upon the victim.

4. Learned counsel for the petitioner submits that the
petitioner has 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.

5. Learned APP for the State, on the other hand, vehemently opposed the prayer for bail of the petitioner and submits that the statement of victim was recorded under Section 164 of the Cr. P.C./183 of B.N.S.S, 2023 in which she has fully supported the case of the prosecution and apart from aforesaid the medical report of the victim also corroborates the allegation as alleged in the F.I.R. against the petitioner and there is direct and specific allegation against the petitioner that he has committed rape upon the victim and the victim is aged about 13 to 14 years of old.

6. Considering the nature of allegation supported by the medical evidence as well as the statement of victim under Section 164 of the Cr. P.C./183 of B.N.S.S, 2023, I am not inclined to enlarge the petitioner on bail in connection with Mahila P.S. Case No. 62 of 2025 pending in the Court of learned Exclusive Special Judge (Rape and POCSO) Act, Samastipur.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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