

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.90857 of 2025

Arising Out of PS. Case No.-275 Year-2024 Thana- KOCHAS District- Rohtas

Prakash Kumar @ Jay Prakash Kumar @ Lalu Kumar S/o Santosh Singh @ Santosh Kumar Singh R/O vill- Majhiya, P.S.- Hasan Bazar, Dist- Bhojpur at Ara

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. XXX S/o XXX R/o vill - Amaisidiyara, P.S.- Dinara, Distt.- Rohtas

... .. Opposite Party/s

Appearance :

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 13-01-2026 Heard Mr. Shashank Shekhar, learned counsel for the petitioner, Mr. Nawal Kishore Prasad, learned A.P.P. for the State and Mr. Tiwari Shwetketu, learned counsel for the Informant.

2. The petitioner seeks bail, who is in custody since 02.07.2025, in connection with Kochas P.S. Case No. 275 of 2024, FIR dated 09.09.2024 registered for the offence under Sections 137(2), 126(2), 64 and 3(5) of the Bharatiya Nyay Sanhita, 2023 and under Section 4 of the POCSO Act.

3. As per the First Information Report, the informant alleged that on 07.09.2024 at about 06:00 AM, her daughter went for coaching and while returning, the petitioner



along with other co-accused persons intercepted her and threatened her and took her to his aunt's house and sexually assaulted her.

4. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and he has falsely been implicated in this case and the allegation as alleged in the F.I.R. is false and fabricated and the petitioner has not committed any offences as alleged in the F.I.R. It appears from the FIR that date of the occurrence was on 07.09.2024 but the FIR was lodge on 09.09.2024 i.e. after delay of about two days without giving any reason of delay. He further submits that the police after investigation has submitted charge-sheet and the petitioner is rotting in judicial custody since 02.07.2025.

5. Learned counsel for the informant as well as learned A.P.P. for the State, on the other hand, have vehemently opposed the prayer for bail of the petitioner and submits that FIR was instituted when the victim was recovered i.e. on 09.09.2024 and the victim has stated before the police that the petitioner committed rape upon her and apart from that victim is aged about 14 years.

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



Kochas P.S. Case No. 275 of 2024 pending in the Court of District and Additional Session Judge-6th-cum-Special Judge (POCSO), Sasaram, Rohtas.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

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