

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.1800 of 2026

Arising Out of PS. Case No.-203 Year-2025 Thana- MADHEPUR District- Madhubani

Md. Anwar Son of Md. Ajij Kujra @ Md. Ajij Miya Resident of village
-Mahisham Kujartoli, ward no. 03, P.S. -Madhepur, District -Madhubani

... .. Petitioner/s

Versus

1. The State of Bihar
2. XX Wife of YY Resident of village -Mahisham Kujartoli, ward no. 03, P.S.
-Madhepur, District -Madhubani

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

2 19-01-2026 Heard Mr. Rakesh Kumar, learned counsel for the

petitioner and Mr. Nirmal Kumar Sinha, learned APP for the

State.

2. The petitioner seeks bail, who is in custody since
05.11.2025 in connection with Madhepur P.S. Case No. 203 of
2025, F.I.R. dated 04.11.2025 for the offences punishable under
Sections 65, 96, 3(5) of the B.N.S., 2023 and Section 4 of the
POCSO Act.

3. According to prosecution case, petitioner and co-
accused person are alleged to have kidnapped the minor
daughter of the informant and raped her. The specific allegation
of rape is against the petitioner.

4. Learned counsel for the petitioner submits that



petitioner has clean antecedent and 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. From bare perusal of F.I.R., it appears that the date of occurrence as alleged in the FIR is 15.10.2025 /16.10.2005 but the present F.I.R. has been initiated on 04.11.2025 without giving any explanation of delay and the medical report does not support the allegation as alleged in the F.I.R. The petitioner is in custody since 05.11.2025.

5. Learned APP for the State has vehemently opposed the prayer for bail of the petitioner and submits that the statement of victim was recorded u/s 183 of BNSS in which she has supported the case of the prosecution. The occurrence took place on 15.10.2025 and the victim was medically examined on 05.11.2025 after delay of 20 days so there is possibility that no sign of rape was found on the person of the victim and the date of birth of victim is 16 to 17 years which suggest that the victim was minor on the date of occurrence.

6. Considering the aforesaid facts and circumstances of the case and also serious nature of allegation against the petitioner, I am not inclined to enlarge the petitioner on bail in connection with Madhepur P.S. Case No. 203 of 2025, pending



in the court of learned Additional Sessions Judge-VII-cum-Special Judge, POCSO, Madhubani, District- Madhubani.

7. Prayer is refused.

(Rajesh Kumar Verma, J)

Ranjeet/-

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