IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34529 of 2026

Arising Out of PS. Case No.-27 Year-2026 Thana- DARPA District- East Champaran

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Ramchandra Mahato @ Ramchandar Prasad Kushwaha Son of Late Rammdarash Mahato @ Ramdarash Kushwaha Resident of Village -Bahadurpur PS -Darpa, Distt -East Champaran

... ... Petitioner/s

Versus

1. The State of Bihar
2. Victim X W/o Y R/o Village - Bahadurpur, P.S.- Darpa, District- East Champaran.

... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Subodh Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Dr. Kumar Uday Pratap, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

5 20-08-2026 Heard learned counsel for the petitioner, learned APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Darpa P.S. Case No. 27 of 2026, instituted for the offences punishable under Sections 65(1), 352, 351(2), 3(5) of the Bharatiya Nyaya Sanhita, 2023, read with Sections 6, 8 and 12 of POCSO Act.

3. The prosecution case, in short, is that the petitioner has sexually assaulted the minor daughter of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Learned counsel for the petitioner also submits that there is no

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any eye witness of the alleged occurrence. The allegation levelled against the petitioner is false and baseless. It is further submitted that the petitioner has not committed any offence as alleged against him. The petitioner is in custody since 12.02.2026 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submits that the victim is minor and has supported the prosecution case in her statement recorded under Section 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023. It is further submitted that there is direct allegation levelled against the petitioner. Hence, the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner at this stage.

7. The prayer is rejected.

(Rudra Prakash Mishra, J)

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