IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38453 of 2026
Arising Out of PS. Case No.-96 Year-2025 Thana- Gurupa District- Gaya

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Ankit Kumar @ Antu Kumar S/o Chandra Shekhar Yadav R/o Village- Kodia, PO- Gurpa, PS- Gurpa, District- Gaya ... ... Petitioner/s

Versus

1. The State of Bihar
2. Mushkan Kumari D/o Mahendra Turia R/o Village- Telni, PS- Gurpa, District- Gaya ... ... Opposite Party/s

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Appearance :
For the Petitioner/s : Mr. Bhaskar Shankar, Adv
For the Opposite Party/s : Mr. Mohammed Arif, APP

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CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA

ORAL ORDER

4 21-08-2026 Heard the parties.

2. The petitioner is named in the F.I.R. and apprehending his arrest in connection with Gurpa P.S. Case No.96/2025 registered for the offences punishable under Sections 64, 69, 89, 352 and 351(2) of the BNS, Sections 4 and 6 of the POCSO Act and Sections 3(2)(v) and 3(1)(r)(s)(w) of the SC/ST (POA) Act.

3. As per FIR, petitioner alleged to establish physical relationship with informant aged about 15 years on the false pretext of marriage and out of said relationship she became pregnant two-three times, but it was terminated medically by this petitioner.

4. It is submitted by learned counsel appearing on behalf of the petitioner that petitioner implicated falsely due to land dispute. In support of submission *qua* false implication of

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petitioner the learned counsel reffered certificate as issued by village "*Sarpanch"* which is at annexure-2, it is categorically stated that due to land dispute this petitioner was implicated with the present crime in question. Petitioner claimed clean antecedent.

5. Learned APP duly assisted by learned counsel for the informant connected through virtual mode, while opposing the prayer of bail submitted that there is specific allegation against petitioner as to established physical relationship with informant on several occasions who at the time of occurrence was minor aged about 15 years. It is also alleged that petitioner terminated the pregnancy of victim twice, but on third occasion she gave birth to a baby.

6. It is submitted by learned counsel for the informant that all such facts were duly supported by medical evidence and also through statement of victim as recorded under Section 183 of the BNSS.

7. Aforesaid submission was totally denied by learned counsel for the petitioner and he submitted that, if it is so, petitioner is ready for DNA Test to ascertain the paternity.

8. In view of aforesaid factual submission and by taking note of fact as allegation is specifically available against

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this petitioner as to establish physical relation with minor informant aged about 15 years, which was supported by informant through her statement as recorded under Section 183 of the BNSS duly appears corroborated with medical report of the informant showing her pregnancy positive, accordingly prayer of anticipatory bail of petitioner stands rejected.

(Chandra Shekhar Jha, J)

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