

**IN THE HIGH COURT OF JUDICATURE AT PATNA**

**CRIMINAL MISCELLANEOUS No. 45137 of 2021**

Vikash Kumar, s/o Shree Bhagwan Ray, r/o Harisham Chak Diara, PS  
-Akhilpur, Dist-Patna, A/P NTPC Khatal, Rajiv Nagar, Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Madhav Krishna, Advocate

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

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**

**ORAL ORDER**

2      01-09-2021      The present petition has been taken up for consideration through the mode of Video Conferencing in view of the prevailing situation on account of COVID-19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner, Sri Narendra Kr. Singh, the learned APP for the State Sri. Ashok Kumar and the learned counsel for the informant Sri Umesh Prasad.

The present petition is by way of second attempt at the behest of the petitioner for grant of regular bail in connection with Rajiv Nagar PS case no. 162 of 2020, registered under Sections 376(D), 341, 342, 366(A) of Indian Penal Code and 4/6 of POCSO Act, inasmuch as the earlier prayer of the petitioner for grant of bail was rejected by this Court vide order dated



22.03.2021, passed in Cr. Misc. no. 39064 of 2020.

The allegation is regarding the accused persons including the petitioner herein having raped the minor victim girl.

The learned counsel for the petitioner has submitted that the petitioner is languishing in custody since 02.06.2020 and there is no progress in the trial, hence the petitioner be granted the privilege of bail.

*Per contra*, the learned APP for the State has vehemently opposed the prayer for bail.

I have heard the learned counsel for the parties and I find that the petitioner is alleged to have committed a heinous crime which has stood corroborated by the statement made by the victim girl under Section 164 Cr.P.C. before the learned Magistrate and moreover, there is no change in circumstance from the day, the prayer of the petitioner for grant of bail was rejected earlier on 22.03.2021 till date, hence I do not find any merit in the present petition, accordingly the same stands dismissed.

**(Mohit Kumar Shah, J)**

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