

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17278 of 2023

Arising Out of PS. Case No.-262 Year-2021 Thana- JAKKANPUR District- Patna

Ram Vinay Prasad Gupta, Son of Late Jamuna Sao @ Jamuna Prasad
Resident of C/o Sri Manoj Yadav, At Khas Mahal, Near Devi Asthan Ke
Piche, Siya Subodh Bhawan, P.S.- Jakkanpur, District - Patna.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. N.K. Agrawal, Sr. Advocate
Mr. Binod Kumar Sinha, Advocate
For the Opposite Party/s : Mr. Nawal Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

10 16-08-2023 Heard learned senior counsel for the petitioner and
learned APP for the State.

2. In the present case, the petitioner has renewed his prayer for bail in connection with Special Case No. 86 of 2021, arising out of Jakkanpur P.S. Case No.262 of 2021, having earlier been rejected by order dated 22.08.2022 passed in Cr. Misc. No. 51629 of 2021, registered for the alleged offences under Section 376 of the Indian Penal Code and Section 8/12 of POCSO Act.

3. As per the prosecution case, the petitioner, who is a tenant of the informant, committed rape with the minor daughter of the informant in her room.

4. The learned senior counsel appearing on behalf of



the petitioner submits that the petitioner is in custody since 18.06.2021 and the trial has not been concluded till date. The learned senior counsel further submits that the prosecution evidence has been closed. The learned senior counsel further submits that pursuant to the order dated 28.06.2023 of this Court with regard to medical condition of the petitioner, the medical report has been received which shows the condition of the petitioner appears to be normal.

5. Learned APP opposes the prayer for bail.

6. Perused the records.

7. Having regard to the facts and circumstances and submissions made on behalf of the parties and considering the fact that the prayer for grant of bail to the petitioner has been rejected on earlier occasion because of serious nature of allegation against the petitioner which has been consistently supported by the informant, the victim and other witnesses that the petitioner committed rape with the minor daughter of the informant, I do not find that there is any substantial change of circumstances which will require consideration of the application for grant of bail at this stage again.

8. Accordingly, his prayer for grant of bail is rejected.



9. Since the prosecution evidence has been closed in this case, the learned trial court is directed to conclude the trial within a period of two months, if the accused cooperates in the case.

10. This petition stands disposed of.

(Arun Kumar Jha, J)

V.K.Pandey/-

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