

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21672 of 2024

Arising Out of PS. Case No.-20 Year-2023 Thana- RUPASPUR District- Patna

Niraj Kumar @ Niraj Kumar Shah @ Niraj Kumar Sah Son of Sandeep Shah
@ Sanandi Shah Resident of Village- Banshipur, P.S.- Bounsi, District- Banka

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Sharan, Advocate

For the Opposite Party/s : Mr.Nand Kishore Prasad, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 10-05-2024 Heard Mr.Alok Kumar Sharan, learned counsel
appearing for the petitioner and Mr. Mr.Nand Kishore Prasad,
learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
11.01.2023 in connection with Rupaspur P.S. Case No.20 of
2023(Spl. POCSO Case No.52 of 2023), F.I.R. dated 10.01.2023
registered for the offence punishable under Section 376 of the
Indian Penal Code and Section 6 of POCSO Act.

3. Earlier the prayer for bail of the petitioner was
rejected vide order dated 18.09.2023 passed in Cr.Misc.
No.39404 of 2023.

4. It appears from the FIR that the allegation against
the petitioner is that he committed rape upon the victim, who is
only six years old and apart from that, the statement of the



victim was recorded under Section 161 Cr.P.C. in para-6 of the case diary in which she has fully supported the case of the prosecution and the petitioner has also confessed his guilt in para-13 of the case diary and the medical report of the victim also suggests that she has been sexually abused by the petitioner.

5. Learned APP for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner.

6. Considering the aforesaid facts, I am not inclined to enlarge the petitioner on bail in connection with Rupaspur P.S. Case No.20 of 2023(Spl. POCSO Case No.52 of 2023), pending in the court of learned Additional District and Sessions Judge-VII-cum-Exclusive Special Court (POCSO) Patna.

7. Prayer is refused.

8. However, the learned Trial Court is directed to expedite the trial and conclude the same at the earliest.

(Rajesh Kumar Verma, J)

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