

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43040 of 2024

Arising Out of PS. Case No.-200 Year-2023 Thana- BARACHATTI District- Gaya

Devan Kumar Son Of Rajdev Bhuiya @ Rajdeo Bhuiyan Village- Jaigir
Somiyan, Ps- Barachatti, Dist- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Informant/Victim X D/o Ramprit Bhuiyan Resident of Village - Somiya,
Post- Jaigir, P.S.- Barachatti, Distt.- Gaya.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Arvind Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 18-09-2024 Heard Mr. Arvind Kumar Singh, learned counsel
for the petitioner and Mr. Shailendra Kumar Singh, learned
A.P.P. for the State.

2. The petitioner seeks bail, who is in custody since
21.02.2023, in connection with S. Tr. No. 186 of 2024/33 of
2024 arising out of Barachatti P.S. Case No. 200 of 2023, FIR
dated 20.02.2023 for the offences punishable under Section 376
of the Indian Penal Code and Section 4 of the POCSO Act.

3. Earlier the prayer for bail of the petitioner was
rejected by a Co-ordinate Bench of this Court vide order dated
07.11.2023 passed in Cr. Misc. No. 60874 of 2023.

4. Learned counsel for the petitioner submits that
the petitioner has clean antecedent and he has falsely been



implicated in the present case. He further submits that although the victim has supported the case of the prosecution but the trial is not in progress. The petitioner is rotting in judicial custody since 21.02.2023.

5. Vide order dated 20.06.2024, a report with regard to the present status of the trial was called for. Report of the learned Trial Court dated 30.07.2024 reveals that charge has been framed against the petitioner recently on 03.04.2024 and case is pending for the examination of the prosecution witnesses.

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

7. In view of the allegation as alleged in the FIR is supported by the statement of the victim under Section 164 Cr.P.C., I am not inclined to enlarge the petitioner on bail in connection with S. Tr. No. 186 of 2024/33 of 2024 arising out of Barachatti P.S. Case No. 200 of 2023 pending in the Court of learned Addl. District and Sessions Judge, Sherghati, Gaya.

8. Prayer is refused.

(Rajesh Kumar Verma, J)

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