

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.49343 of 2024**

Arising Out of PS. Case No.-469 Year-2022 Thana- SURSAND District- Sitamarhi

Shravan Kumar @ Sharavan Kumar S/O Ram Ekbal Mahto R/O Village-
Belahaiya, P.S.-Sursand, Distt-Sitamarhi

... .. Petitioner/s

Versus

1. The State of Bihar
2. X Daughter of Lalbabu Mahto R/O of Vill- Belahayia, P.S- Sursand, Dist-
Sitamarhi.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ayush Kumar

For the Opposite Party/s : Mr. Mohammed Arif

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA

ORAL ORDER

- 3 13-09-2024 1. Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.
2. This application, for grant of regular bail, arises out of
Sursand Police Station Case No. 469 of 2022, dated
14.09.2022, disclosing offences under Sections
376DA/506 of the Indian Penal Code read with Section
4/8/12 of the Protection of Children from Sexual Offences
Act (hereinafter referred to as “POCSO Act”).
3. The allegation, as per the First Information Report, is that
the petitioner committed rape upon the informant who is
minor and made a video and continued physical



relationship with her on the threat that video shall be made viral.

4. Learned counsel for the petitioner submits that the petitioner has falsely been implicated in this case having ulterior motive. He next submits that both the petitioner and the informant are close door neighbours. He further submits that similarly situated co-accused have been granted bail by this Court in Cr. Misc. No. 4849 of 2023. The petitioner is in custody since 24.09.2022.
5. This Court vide order, dated 09.08.2024, called for a report. In pursuance thereof, the report was submitted, stating therein, the case is pending for prosecution evidence, out of six chargesheeted witnesses, one witness has been examined and cross examined and rest five witnesses are yet to be examined. Further, it is stated that the trial is likely to be concluded within nine months.
6. Regards being had to the submissions advanced by learned counsel for the parties and taking into consideration the report submitted by learned Court below, I am not inclined to grant regular bail to the petitioner, at this stage.
7. This application is, accordingly, rejected.



8. However, the petitioner will be at liberty to renew his prayer for bail after nine months, if the trial does not show any substantial progress.

(Anil Kumar Sinha, J)

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