

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.57530 of 2024

Arising Out of PS. Case No.-143 Year-2022 Thana- DANAPUR District- Patna

Suraj Kumar @ Surya @ Surya Kumar Son Of Baijnath Singh, Resident Of Village - Bherahariya, Post - Siyampur, Police Station - Paliganj, District - Patna, Pin - 801110.

... .. Petitioner

Versus

1. The State of Bihar.
2. Manisha Kumari Daughter Of Lavkush Kumar, Resident Of Village - Siyampur, Police Station - Paliganj, District – Patna.

... .. Opposite Party

Appearance :

For the Petitioner	:	Mr. Ramakant Sharma, Sr. Advocate
For the Opposite Party	:	Mr. Awadhesh Kumar Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

3 06-09-2024 Heard Mr. Ramakant Sharma, the learned senior counsel for the petitioner, the learned counsel appearing on behalf of the informant and Mr. Awadhesh Kumar Singh, the learned Additional Public Prosecutor for the State.

2. Petitioner seeks regular bail who is in custody since 05.07.023, in connection with Special Case No. 80 of 2022, arising out of Danapur P.S. Case No. 143 of 2022, FIR dated 23.02.2022, registered for the offences punishable under Sections 376 (D), 504 and 506 read with Section 34 of the Indian Penal Code and under Section 4 of POCSO Act and also under Sections 67 and 67(A) of the I.T. Act.

3. Earlier the petitioner has moved before this



Hon'ble Court in Cr. Misc. No. 55934 of 2023, which was rejected vide order dated 29.11.2023.

4. According to the prosecution case, the co-accused person namely, Mantosh Kumar befriended the informant through social media and thereafter, took her to the house of the petitioner, where both of them committed rape upon her and also prepared a video of the occurrence and threatened to make the video viral, if she ever disclosed about the occurrence to anyone. It is further alleged that after fifteen days, Mantosh Kumar again took the informant at the house of one Pawan Tiwari, where both of them committed rape upon her and they also threatened her with dire consequences, if she ever files a case.

5. Vide order dated 08.08.2024, a report was called for with regard to the stage of the trial and report dated 16.08.2024 of the learned trial Court reveals that out of six chargesheeted witnesses, four witnesses have fully been examined and PW-5 (doctor) has partially been examined.

6. The learned counsel for the informant as well as the learned Additional Public Prosecutor for the State on the other hand has vehemently opposed the prayer for bail of the petitioner on the ground that petitioner carries one more



criminal antecedent other than the present one, however, he fairly admits that petitioner is on bail in the pending matter.

7. Considering the facts and circumstances of the case, the nature of allegation levelled in the FIR against the petitioner as well as the report of the learned trial Court, I am **not** inclined to enlarge the petitioner on bail in connection with Danapur P.S. Case No. 143 of 2022, pending in the Court of learned Additional District & Sessions Judge-VII-cum-Exclusive Special Court (POCSO), Patna.

8. Prayer is refused.

9. 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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