

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.51132 of 2024

Arising Out of PS. Case No.-400 Year-2023 Thana- GORAUL District- Vaishali

Sonu Kumar son of Mukesh Rai Village- kailajlalpur, Salempur Ps- Goraul,
Kathara OP Dist- Vaishali. Petitioner/s

Versus

1. The State of Bihar
2. Rani Kumari W/o Vikram Kumar D/o Lakshmi Paswan, village-Kailajlalpur,
P.S.- Garaul (Katahara O.P.) Distt.- Vaishali
... .. Opposite Party/s

WITH
CRIMINAL MISCELLANEOUS No. 78570 of 2024

Arising Out of PS. Case No.-400 Year-2023 Thana- GORAUL District- Vaishali

Sonu Kumar S/O Amarjeet Ray R/O Vill- Kailajlalpur, P.S - Garaul, (Kathara
O.P), Distt – Vaishali. Petitioner/s

Versus

1. The State of Bihar
2. Rani Kumari W/O Vikram Kumar R/O Vill- Kailajlalpur, P.S - Garaul,
(Kathara O.P), Distt - Vaishali
... .. Opposite Party/s

Appearance :
(In CRIMINAL MISCELLANEOUS No. 51132 of 2024)
For the Petitioner/s : Mr. Rajeev Ranjan Sinha, Advocate
For the Opposite Party/s : Mr. Usha Kumari-1, APP
(In CRIMINAL MISCELLANEOUS No. 78570 of 2024)
For the Petitioner/s : Mr. Binod Prakash, Advocate
For the Opposite Party/s : Mr. Dinesh Singh, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

4 20-12-2024 As both these bail applications have cropped up from

the same police station case number, hence, with consent of

parties, they are being heard together and disposed of by this

common order.

2. Heard learned counsel for the petitioners and

learned APP for the State.



3. The petitioners seek bail in a case registered for the offence punishable under Sections 376D/509 of the Indian Penal Code, under Section 4/8/12 of the POCSO Act, under Sections 3 (I) (r) (s), 3 (2) (v) (va) of the SC/ST Act and Sections 67, 67 (A) and 67 (B) of the I.T. Act.

4. As per the prosecution case, while the informant had gone to attend the call of nature, these petitioners along with other co-accused are said to have forcibly took the informant to the field of Usman Mia where Sonu Kumar committed rape against her and co-accused Vishal Kumar filmed the entire occurrence and upon protest Sonu and Vishal threatened her to kill and she lost her conscious and later on her mother and grandmother came and took her. It is further alleged that when the father of the informant went to the house of co-accused, Sonu Kumar, then Mukesh Rai and his wife Reeta Devi abused him by taking the caste name and threatened to kill.

5. It is submitted by learned counsel for the petitioners that no such occurrence as alleged ever took place. They are quite innocent and have been falsely implicated in this case due to dirty village politics. The allegation levelled against the petitioners is not specific rather general and omnibus in nature. Petitioners have no criminal antecedent. Petitioners are



languishing in custody since 23.09.2023.

6. Learned APP for the State opposed the bail petition.

7. Vide order dated 14.08.2024 passed in Cr. Misc. No.51132 of 2024, a report was called for from the learned Court below regarding the stage of the trial and the time likely to be taken in conclusion of the trial. In compliance thereof, the learned A.D.J.-VI-cum-Special Judge POCSO, Vaishali at Hajipur has reported that the trial is likely to be concluded within six months.

8. In the facts and circumstances of the case, the allegation levelled against the petitioners and the report of the learned A.D.J.-VI, I am not inclined to enlarge the petitioners on bail. The prayer for bail is hereby rejected.

9. However, the learned Trial Court is directed to conclude the trial as expeditiously as possible preferably within six months from the date of receipt/production of a copy of this order. Both the parties are expected to extend their co-operation in early conclusion of the trial.

(Anjani Kumar Sharan, J)

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