

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.82921 of 2024

Arising Out of PS. Case No.-103 Year-2023 Thana- INARWA District- West Champaran

Saheb Khan Son of Khurshed Khan Resident of Village - Ghodpakari, P.S. -
Inarwa, District - West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. X (Imaginary of the Informant/ Mother of the Victim) Wife of Junab Khan
Resident of Village - Ghorpakadi, P.S. - Inarwa, District - West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimlesh Kumar Pandey

For the Opposite Party/s : Mr.Dinesh Singh

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 18-12-2024 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in connection with
Inarwa P.S. Case No. 103 of 2023 registered for the offence
under Sections 342, 365, 366A, 376, 323 of the Indian Penal
Code and under Section 4 and 6 of the POCSO Act.

3. As per the prosecution case, the petitioner is
said to have committed rape upon a minor girl.

4. The petitioner is in custody since 4.12.2023.

5. It has been submitted by the learned counsel for
the petitioner that out of 8 witnesses, three witnesses have
already been examined.



6. Considering the facts of the case and also in view of the law laid down by the Hon’ble Supreme Court in the case of *X Vs. State of Rajasthan and Anr.* reported in **2024 SCC OnLine SC 3539**, this Court is not inclined to grant bail to the petitioner as the trial has already commenced and the witnesses are being examined.

7. Accordingly, this application is dismissed.

(Sandeep Kumar, J)

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