

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.973 of 2025

Arising Out of PS. Case No.-314 Year-2024 Thana- DALSINGHSARAI District- Samastipur

Kishun Deo Das S/o Late Sagar Das @ Late Ram Sagar Das R/o Village-
Nagargama, P.O.- Soyera, PS- Dalsinghsarai, District- Samastipur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shridevi W/o Doman Das R/o Vill - Nagargama, ward no. 5, P.S. -
Dalsinghsarai, Distt.- Dalsingsarai, Samastipur

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Abhay Kumar, Advocate
For the Opposite Party/s : Mr. Renu Kumari, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

4 12-05-2025 Heard learned counsel for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection
with Dalsinghsarai P.S. Case No. 314 of 2024, registered for
the offences punishable under Sections 65(2) of the B.N.S.,
2023 and 4/6 of POCSO Act, 2012.

3. The allegation upon the petitioner is that he had
committed rape upon the minor grand daughter, aged about
five years, of the informant.

4. Learned counsel for the petitioner submits that
the petitioner is innocent and has falsely been implicated in



this case due to personal differences and land dispute between the parties. The learned counsel for the petitioner submits that the parties are agnates and due to land dispute, the petitioner has falsely been implicated in this case. Lastly, it has been submitted by the learned counsel for the petitioner that he has clean antecedent and he is in custody since 21.10.2024. Learned counsel also submits that the prosecution should take efforts to get the prosecution witnesses examined at the earliest.

5. The learned counsel for the informant as well as the learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail and submits that during the course of investigation, the grand daughter of the informant was examined and from the medical examination, it is evident that the victim girl was indeed raped and subsequently, even in her statement, the girl had named the petitioner to have initially kidnapped her and then committed rape. The learned A.P.P. for the State further submits that admittedly the age of the girl was found to be five years as per the medical report and as such the petitioner does not deserve the liberty of bail.

6. Considering the aforesaid submissions made by



the respective parties, I am not inclined to grant the petitioner
privilege of regular bail.

7. Therefore, the prayer for bail is dismissed.

(Sourendra Pandey, J)

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