

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.3039 of 2025

Arising Out of PS. Case No.-65 Year-2024 Thana- BANDHUWA KURAWA District- Banka

Sikandra Singh S/o Tejo Singh R/o Village- Dharampur, P.S.- Bandhua
Kuraba, District- Banka

... .. Petitioner/s

Versus

1. The State of Bihar
2. Soni Devi W/o Ajay Paswan R/o Village- Dharampur, P.S.- Bandhua
Kuraba, District- Banka

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Brij Nandan Prasad, Advocate
For the State	:	Ms. Usha Kumari 1, APP
For the informant	:	Mr. Sudhir Kumar Mishra, Advocate

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 05-05-2025 Heard learned counsel for the petitioner and learned APP

for the State as also learned counsel for the informant. Perused

the case diary.

2. The petitioner seeks bail in connection with

Bandhua Kuraba P.S. Case No. 65 of 2024 instituted for the

offence under Section 65 of the Bharatiya Nyaya Sanhita, 2023

and Section 4 of the POCSO Act and Sections 3(i)(r)(s)(w)/3(2)

(va) of the SC/ST Act.

3. As per prosecution case, accusation against the

petitioner is of committing rape upon the 1.5 years old daughter

of the informant.

4. It has been submitted on behalf of the petitioner



that the petitioner is in custody since 15-07-2024. Petitioner bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case, due to village politics and a land dispute, in which he was merely a witness to a sale deed. Learned counsel points out that the FIR contains only general allegations without any specific role attributed to him. It is next argued that the accusation involving a 1.5-year-old victim is highly improbable and inherently false. Learned counsel lastly submits that the entire case is a malicious attempt to tarnish his reputation.

6. Learned A.P.P. for the State as also learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that mother of the victim, who has witnessed the occurrence, has supported the prosecution case in her statement recorded under Section 183 of the BNSS, 2023.

7. Considering the aforesaid facts and circumstances of the case, there being extremely serious and horrifying allegations against the petitioner involving an act committed upon a minor child aged about 1.5 years, this Court is not



inclined to grant bail to the petitioner. Payer for grant of bail is, accordingly, *rejected*.

8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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