

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4463 of 2025

Arising Out of PS. Case No.-117 Year-2024 Thana- PATLIPUTRA District- Patna

Kumar Vipin @ Vipin Kumar S/O Late Krishna Singh R/o Village- Kosra,
PS- Kosra, PS- Sheikhpura, District- Sheikhpura, A/P- House No. 128, Gali
No. 04, Siddheswar Nagar, Mainpura, PS- Patliputra, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Chote Pandey S/o Late Viswanath Pandey R/o Rental in the house of
Deepak Jee @ Deepak Sharma, House No. 128, Gali No. 04, Siddheswar
Nagar, Mainpura, PS- Patliputra, District- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Madhukar Anand, Advocate
For the State	:	Ms. Dr. Indihar Kumari, APP
For the Informant	:	Mr. Nikhil Kumar Agarwal, Advocate
		Ms. Aditi Hansaria, Advocate
		Mr. Yash Sahay, Advocate
		Mr. Keshav Bhardwaj, Advocate

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

ORAL ORDER

4 12-05-2025 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 Special
(POCSO) Case No. 63 of 2024 arising out of Patliputra PS Case
No. 117 of 2024 instituted for the offence under Sections 376/34
of the Indian Penal Code and Sections 4& 6 of the POCSO Act.

3. Prosecution case in a nutshell is that petitioner
forcibly raped informant's minor daughter by giving threat of
killing her parents.



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 15-03-2024. 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. Learned counsel for the petitioner mainly submits that victim was found pregnant and the blood samples of the petitioner were taken, but it did not match with the DNA of the fetus, which falsifies the prosecution case. Learned counsel submits that charge in this case is framed.

6. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that victim in her statement recorded under Section 164 of the Cr.P.C. has fully supported the prosecution case. Moreover, she is minor. Bail of other co-accused has been rejected by a Co-ordinate Bench of this Court vide order dated 19-02-2025, passed in Cr. Misc. No. 8603 of 2025.

7. Considering the aforesaid facts and circumstances of the case, nature and gravity of the offence and victim being minor, this Court is not inclined to grant bail to the petitioner.



Prayer for grant of bail to the petitioner is *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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