

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9898 of 2025

Arising Out of PS. Case No.-89 Year-2023 Thana- MURAR District- Buxar

Sunil Kumar Son of Late Mahendra Prasad Resident of Village - Pareo, P.S. -
Bihta, District - Patna, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jiyut Sah Son of Late Harivilas Sah Resident of Village - Thori Pandeypur,
P.S. - Murar, District - Buxar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ankit Katriar, Adv.

For the Opposite Party/s : Mr. Sharda Kumari, APP

**CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH
SINGH**

ORAL ORDER

4 24-06-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Murar P.S. Case No. 89 of 2023 dated 15.10.2023 registered for the offences punishable under Sections 363, 365 of the Indian Penal Code and the charge-sheet has been submitted under Sections 363, 365 and 376DA of the I.P.C. and Section 6 of POCSO Act.

3. As per the prosecution case, unknown miscreants are alleged to have kidnapped the daughter of the informant.

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



this case. It is further submitted that there is nothing on record which shows that the victim was forced to have illicit intercourse with another person. As per the medical report, the doctor assessed the age of the victim is between 18 to 20 years. The petitioner has no concern with the alleged offence. The petitioner has no criminal antecedent as stated in paragraph no. 3 of the bail petition. He is in custody in this case since 05.12.2023. The co-accused person has already been granted regular bail by a Co-ordinate Bench of this Court vide order dated 01.08.2024 passed in Cr. Misc. No. 27388 of 2024.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioner and submitted that the statement of the victim recorded under Section 164 of Cr.P.C., has supported the prosecution case in which she has stated that the petitioner forcibly committed rape on her. It is further submitted that as per medical report of the victim, it is mentioned that the sign of sexual act is present.

6. Considering the aforesaid facts and circumstances of the case as well as heinous nature of offence against the petitioner, this court is not inclined to grant bail to the petitioner and the same is rejected in connection with Murar P.S. Case No. 89 of 2023, pending in the Court of learned Additional District



and Sessions Judge Vith-cum-Special Judge POCSO Act,
Buxar.

7. Learned trial court is directed to conclude the trial
of the petitioner at the earliest.

8. The application stands rejected.

(Chandra Prakash Singh, J)

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