

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.7794 of 2025

Arising Out of PS. Case No.-353 Year-2024 Thana- JHAJHA District- Jamui

Pago Turi @ Pagwa S/o Haran Turi R/o Village- Borba, P.S.- Jhajha, District- Jamui

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kolhi Devi W/o Puran Pujhar R/o Village- Vishanpur (Bhadwari), P.S.- Jhajha, District- Jamui

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Prabhat Ranjan Singh, Advocate
For the Opposite Party/s : Mr. Anita Kumari, APP

CORAM: HONOURABLE MR. JUSTICE KHATIM REZA
ORAL ORDER

3 12-05-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2. The petitioner seeks bail in connection with Jhajha
P.S. Case No. 353 of 2024 dated 15.08.2024, instituted for the
offence punishable under Sections 64 of the B.N.S., 2023.

3. The prosecution case, in short, is that on
12.08.2024 at about 02:00 pm, the petitioner taking advantage
of the poor mental state of the informant's daughter lured and
raped her. It is further alleged that some unknown person has
made video of the entire offence and made it viral thereafter,
informant came to know about such incident about her daughter.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and he has been falsely implicated in this case. It is further submitted that the occurrence took place on 12.08.2024 but the FIR has been lodged on 15.08.2024 i.e. after delay of three days without any plausible explanation. It is next submitted that informant stated that she had gone for treatment of her elder daughter at Patna but there is no whisper as by whom she was treated at Patna. Even police has not verified this fact in the course of investigation. There is no eye witness to the alleged occurrence. It is also submitted that there is no material against the petitioner regarding video clip. Lastly, it has been submitted that the petitioner is in custody since 19.08.2024 having no criminal antecedents and charge-sheet has been submitted in the case.

5. Learned A.P.P. vehemently opposed the prayer for bail of the petitioner and submitted that there is a direct allegation against the petitioner of raping the mentally sick daughter of informant. It is next submitted that medical report also support the case of the prosecution that the victim had undergone sexual intercourse.

6. Having considered the facts and circumstances of the case and submissions of learned counsel for the parties, I am not inclined to grant bail to the petitioner at this stage.



7. Accordingly, the prayer for bail of the petitioner is hereby rejected.

8. However, the learned Trial Court is directed to expedite the trial and take all endeavour to conclude the trial at the earliest, preferably, within a period of nine (09) months from the date of receipt or production of a copy of this order. In the event, the trial is not concluded within the stipulated period, the petitioner shall be at liberty to renew his prayer for bail after the expiry of nine months.

(Khatim Reza, J)

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