

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9339 of 2025

Arising Out of PS. Case No.-12 Year-2024 Thana- Bajitpur District- Darbhanga

Sunil Kumar Mahto S/O Ram Singh Mahto R/o Vill. - Narha, P.S - Bajitpur,
District - Darbhanga

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vinay Kumar Mishra

For the Opposite Party/s : Mr.Binay Krishna

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

ORAL ORDER

2 15-04-2025 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 Bajitpur P.S. Case No. 12 of 2024 dated 17.03.2024 registered for the offences punishable under Sections 376 and 302 of the Indian Penal Code, Section 4/6 of POCSO Act and Sections 3(1)(r), 3(2)(va), 3(1)(w) of SC/ST Act.

3. As per the prosecution case, the informant alleges that his daughter was cutting grass for her cattle on 01.03.2024 where the petitioner caught her and committed rape on her and his daughter became unconscious. Thereafter, people of the vicinity put the daughter of the informant in the house of the



petitioner and told to marry her, but his family members were refused to marry. Then the Panchayati was held in which the petitioner was ordered to give Rs. 1.25 lakh to the victim as punishment and in the meantime the victim girl fell ill, thereafter she was taken to D.M.C.H., Darbhanga and after treatment she returned to her house. However, on 16.03.2024 her condition became serious and on the next day in the morning she died.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The occurrence took place on 01.03.2024 but the FIR was lodged on 17.03.2024 and there is no explanation for this delay. The charge-sheet has been submitted against the petitioner. The petitioner has no concern with the alleged occurrence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 28.03.2024.

5. Learned A.P.P. for the State has opposed the bail petition of the petitioner and submitted that the specific allegation is against the petitioner, who committed rape on the victim due to which she sustained injuries and during the course of treatment she died. It is further submitted that the victim is



minor girl aged about 14 years.

6. Considering the aforesaid facts and circumstances of the case as well as the specific and 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 Bajitpur P.S. Case No. 12 of 2024, pending in the Court of learned Exclusive Special Judge (POCSO Act), Darbhanga.

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

(Chandra Prakash Singh, J)

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