

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11989 of 2025

Arising Out of PS. Case No.-543 Year-2024 Thana- KONCH District- Gaya

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Jit Mohan Saw S/o Late Budhan Saw R/o vill - Mahadevpur, P.S.- Konch,
Distt.- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Shakuntala Devi W/o Sanjay Paswan R/o vill - Mahadevpur, P.s.- Konch,
Distt.- Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Ajay Kumar Sinha, Advocate

For the Opposite Party/s : Mr. Binay Krishna, APP

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

ORAL ORDER

6 02-07-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with Konch
P.S. Case No. 543 of 2024 instituted for the offence under
Section 65(2) of the Bharatiya Nyaya Sanhita, 2023, Sections
4/6 of the POCSO Act and Sections 3(1)(w)(i) & 3(2)(va) of the
SC/ST Act.

3. Prosecution case in a short is that petitioner
committed an illicit act and later raped the informant's minor
daughter.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 28-12-2024. Petitioner



bears no criminal antecedents, 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. It is submitted that there is no eye witness to the occurrence. The petitioner is very old person and is totally impotent.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that victim is deaf and in her statement recorded under Section 183 of the BNSS, 2023, she has fully supported the prosecution case, moreover, she is minor. Referring to medical report, it is submitted that hymen of the victim was found ruptured and doctor has opined that there is evidence of sexual intercourse.

7. Considering the aforesaid facts and circumstances of the case, nature and gravity of the offence, coupled with the fact that statement of the victim recorded under Section 183 of the BNSS, 2023 as well as medical report, both corroborates the prosecution case, this Court is not inclined to grant bail to the petitioner. Prayer for grant of bail to the petitioner 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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