

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.13651 of 2025**

Arising Out of PS. Case No.-174 Year-2023 Thana- BAGHA District- West Champaran

Karan Kumar @ Karan Kumar Gupta, Son of Sri Rakesh Gupta, resident of Village / Mohalla - Ramdham Mandir, P.S. - Bagaha, District - West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Gopal Prasad Son of Late Jaigovind Prasad, resident of Village/Mohalla - Gudiya Bazaar, Ward No.19, P.S. - Bagaha, District - West Champaran

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr.Sharad Kumar Verma, Advocate  
For the Opposite Party/s : Mr.Shailendra Kumar Singh, APP

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH**  
**ORAL ORDER**

2      28-02-2025                      Heard the learned counsel for the petitioner and the learned APP for the State.

2. The present petition is by way of second attempt at the behest of the petitioner for grant of regular bail in connection with Bagaha P.S. Case No.174 of 2023, registered for the offences punishable under Sections 366-A/34 of the Indian Penal Code and Sections 7, 8 of the POCSO Act, inasmuch as the earlier petition filed by the petitioner for grant of regular bail was rejected by this Court, vide order dated 09.08.2024, passed in Cr.Misc. No.64551 of 2023.

3. The accused persons including the petitioner are alleged to have kidnapped the daughter of the informant, when



she had gone to the market to purchase some articles.

4. The learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in the present case as also he is languishing in custody since 29.04.2023, and there is no scope of conclusion of the trial in near future, hence he be granted the privilege of bail.

5. *Per contra*, the learned APP for the State has vehemently opposed the prayer for bail and has submitted by referring to the earlier order dated 09.08.2024, passed by this Court, in Cr.Misc. No.64551 of 2023 that the same is a reasoned order and this Court had considered the entire materials available on record as also in the case-diary and had then come to conclusion that *prima facie*, there is enough material to show that the petitioner had kidnapped the victim girl and raped her continuously.

6. Having regard to the facts and circumstances of the case, considering the submissions made by the learned counsel for the petitioner and taking into account the materials available on record, as also considering the earlier order of this Court dated 09.08.2024, this Court finds that the victim girl, in her statement made under Section 164 Cr.P.C, before the learned Magistrate, has categorically levelled allegation against the



petitioner of having kidnapped her and thereafter, having raped her continuously, apart from the fact that there is no change in circumstance so as to warrant reconsideration of the prayer of the petitioner for grant of bail, thus the present petition stands dismissed being bereft of any merit.

**(Mohit Kumar Shah, J)**

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