

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13051 of 2025

Arising Out of PS. Case No.-351 Year-2024 Thana- GAURICHAK District- Patna

Lakshaman Prasad S/O Late Amlesh Prasad Resident of Village- Beldarichak,
P.S-Gaurichak, District- Patna.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Malti Devi W/O Virendra Kumar R/O Village- Beldarichak, P.S- Gaurichak,
Distt.- Patna.

... .. Opposite Party/s

Appearance :

For the Petitioner	:	Mr. Raju Kumar, Advocate
For the State	:	Mr. Shantanu Kumar, APP
For the Informant	:	Mr. Kaushal Kishor, Advocate

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

ORAL ORDER

3 04-04-2025 Heard learned counsel for the petitioner and learned APP
for the State as also learned counsel for the informant. Perused
the case diary.

2. The petitioner seeks bail in connection with
Gaurichak P.S. Case No. 351 of 2024 instituted for the offence
under Sections 376, 506/34 of the Indian Penal Code and
Sections 4, 6 & 8 of the POCSO Act.

3. As per prosecution case, accusation against the
petitioner is that when the victim went to the house of the
petitioner, he forcibly made physical relation with her. It is
further alleged that the wife of the petitioner made video of the
same and made it viral on Whatsapp.



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 20-07-2024. Petitioner bears no criminal antecedent, 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. Petitioner is co-villager and neighbour of the informant. There is land dispute between the parties. There is huge delay of about 1 year 9 months in lodging the FIR. Charge sheet is submitted in this case. Wife of the petitioner has been enlarged on bail by this Court vide order dated 22-01-2025, passed in Cr. Misc. No. 71930 of 2024.

6. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner. It is fervently submitted that victim in her statement recorded under Section 183 of the BNSS, 2023 has fully supported the prosecution case, however, she has denied for medical examination. Victim is minor and offence is very serious in nature, hence petitioner, does not deserve the privilege of bail.

7. Considering the aforesaid facts and circumstances of the case, taking into account the statement of the victim



recorded under Section 183 of the BNSS, 2023, this Court is not inclined to grant bail to the petitioner. Prayer for grant of bail 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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