

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.18577 of 2025

Arising Out of PS. Case No.-133 Year-2023 Thana- MIRGANJ District- Purnia

Rehan Alam @ Md. Kakku Alias Md. Rihan Alam S/o- Md. Firoj @ Firoj @
Md. Firin Resident of Village - Rangpura Uttar, PS- Mirganj, Dist- Purnea

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Jabeena Khatoon W/o- Late Alam Resiedent of Rangpura, W.No-4, PS -
Mirganj, Dist- Purnea

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Raj Kumar

For the Opposite Party/s : Mr.Rana Randhir Singh

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

ORAL ORDER

5 03-09-2025 Heard learned counsel for the petitioner and learned
A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Spl. (POCSO) Case No. 159/2023 arising out of Mirganj P.S. Case No. 133/2023 dated 28.07.2023 registered for the offence punishable u/s 341, 323, 506 and 376 read with Section 34 of the Indian Penal Code.

3. As per the prosecution case, the petitioner is alleged to have committed rape on the informant's daughter forcibly. When the informant went to the house of the petitioner, the petitioner and the co-accused persons assaulted her and threatened her to kill.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. Nothing has been recovered from the conscious possession of the petitioner. There is a delay of four days in lodging the F.I.R. There was love affair between the petitioner and the victim. The victim is a major girl. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 12.08.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the specific allegation of committing rape on the informant's daughter is against the petitioner. The victim in her statement recorded u/s 164 of the Cr.P.C. has supported the prosecution case. As per the letter no. 253/2025, out of total seven witnesses named in the charge-sheet, five witnesses have already been examined.

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 Spl. (POCSO) Case No. 159/2023 arising out of Mirganj P.S. Case No. 133/2023, pending in the court of learned Special Judge



(POCSO), Purnea.

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

(Chandra Prakash Singh, J)

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