

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.23054 of 2025

Arising Out of PS. Case No.-504 Year-2023 Thana- JAGDISHPUR District- Bhagalpur

RISHIKESH YADAV S/O DINESH YADAV R/O VILLAGE- KALA
NARAYANPUR, P.S.- JAGDISHPUR, DISTRICT-BHAGALPUR

... .. Petitioner/s

Versus

1. THE STATE OF BIHAR PATNA
2. Kashi Harijan S/O Late Moti Harijan R/O VILLAGE- KALA
NARAYANPUR, P.S.- JAGDISHPUR, DISTRICT-BHAGALPUR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sharda Nand Mishra, Adv.
For the Opposite Party/s : Mr. Sadanand Paswan, APP

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

ORAL ORDER

3 16-07-2025 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 Jagdishpur P.S. Case No. 504 of 2023 dated 09.11.2023 registered for the offences punishable under Sections 376, 506 of the Indian Penal Code, Section 4 of POCSO Act and Section 3(2)(v) of SC/ST Act.

3. As per the prosecution case, the petitioner and the co-accused persons are alleged to kidnapped the daughter of the informant and the petitioner committed rape forcibly on the informant's daughter and told that he would marry her.



4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. There was love affair between the petitioner and the victim. As per the medical report, there is no evidence of recent sexual intercourse on the informant's daughter. The petitioner has no concern with the alleged offence. The petitioner has no criminal antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 12.09.2024.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the specific allegation of committing rape is against the petitioner which is evident from the statement of the victim recorded under Section 164 of the Cr.P.C. The Medical Board has assessed the age of the victim as 17 to 19 years. It is further submitted that the victim is a minor girl. The victim (P.W.1) has deposed in her examination-in-chief that the petitioner committed rape on the victim and threatened her not to disclose the matter.

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



Jagdishpur P.S. Case No. 504 of 2023, pending in the Court of learned Additional Session Judge-6th-cum-Exclusive Special Judge, POCSO, Bhagalpur.

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

8. The application stands rejected.

(Chandra Prakash Singh, J)

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