

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19151 of 2025

Arising Out of PS. Case No.-37 Year-2024 Thana- MAHILA P.S. District- Nawada

Samit Vishwakarma @ Shyam Kumar @ Samit Kumar @ Sumit Vishwakarma S/O Bhola Vishwakarma @ Bhola Mistri R/O Vill.- Budhaul, P.S.- Hisua, Dist.- Nawada.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Archana Kumari D/O Tuntun Vishwakarma R/O Vill.- Sihin, P.S.- Hisua, Dist.- Nawada.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Bijendra Kumar, Advocate
For the State	:	Mr. Brajendra Nath Pandey, APP
For the Informant	:	Ms. Surya Nilambari, Advocate

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

3 23-07-2025 Heard the learned counsel for the petitioner, learned APP for the State and learned counsel for the informant.

2. The petitioner seeks regular bail in connection with Nawada Mahila P.S. Case No. 37 of 2024 registered for the offence under Sections 376, 504, 506 of the Indian Penal Code and Sections 4 and 6 of the POCSO Act.

3. As per the prosecution case, the petitioner is accused committing rape upon the victim girl.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence. The petitioner is in custody since 10.10.2024.

5. Learned A.P.P. for the State and learned counsel for



the informant have vehemently opposed the prayer for bail.
Learned counsel for the informant has submitted that the trial is almost over and all the witnesses have been examined.

6. In view of the judgment of the Hon’ble Supreme Court in the case of *X vs. State of Rajasthan & Anr., 2024 SCC Online SC 3539* observing that once the trial has started and the witnesses are being examined, the accused persons should not be granted bail ordinarily, this application for regular bail is hereby rejected.

7. Accordingly, this application for regular bail is hereby rejected.

(Sandeep Kumar, J)

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