

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26415 of 2025

Arising Out of PS. Case No.-76 Year-2024 Thana- SAHARSA SADAR District- Saharsa

Raju Sah @ Raju Kumar Son of Chalitar Sah Resident of Village - Sarahi,
Ward No.5, P.S. - Saharsa, District - Saharsa

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sudha Devi W/O Bijay Kumar R/O Village- Sarahi, Ward No. 4, P.S and Distt.- Saharsa.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Pramod Mishra, Advocate

For the Opposite Party/s : Mr. Raj Kishor Singh, APP

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

ORAL ORDER

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

2. The petitioner seeks bail in connection with POCSO
Case No. 26 of 2024 arising out of Saharsa Sadar P.S. Case No.
76 of 2024 instituted for the offences under Sections 376(AB),
511, 341, 323, 504, 34 of the Indian Penal Code and Sections 4,
6, 18 of the POCSO Act.

3. Earlier vide order dated 09.12.2024 passed in Cr.
Misc. No. 48238 of 2024 the prayer for grant of bail to the
petitioner was rejected. This is the second attempt of the
petitioner for grant of bail.

4. Prosecution case, in short, is that, while the minor



daughter of the informant was playing outside, the petitioner tried to commit sexual assault upon the daughter of the informant.

5. Learned counsel for the petitioner mainly submitted that the petitioner has been languishing in jail since 28.01.2024 and he has falsely been implicated in the present case due to previous dispute between the parties. Learned counsel further submitted that even as per medical report, there is no sign of rape and also no internal or external injuries were found on the body of the victim. Learned counsel further submitted that there is no significant progress in the trial and there is no likelihood of conclusion of trial in near future and therefore, petitioner may be released on bail. It has been submitted on behalf of the petitioner that the petitioner has no criminal antecedent.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

7. As per the report dated 02.05.2025 sent by the learned court below, charge has been framed on 05.04.2024 against the petitioner and out of eight charge-sheeted witnesses, four witnesses have been examined. It is further reported that trial is likely to be concluded within two months.

8. Having considered the submissions made on behalf



of the parties, this Court finds no fresh ground to reconsider the matter which has already been decided on merit by this Court. Taking into account the present stage of trial which at the verge of conclusion, this Court is not inclined to grant bail to the petitioner.

9. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

10. Learned Trial Court is directed to expedite the trial.

(Rudra Prakash Mishra, J)

Alok Verma/-

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