

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.22302 of 2025

Arising Out of PS. Case No.-69 Year-2024 Thana- JAMALPUR District- Munger

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Amit Kumar Son of Raja Ram @ Raja Ram Mahton Resident of Village -
Hanuman Nagar, Ward No.- 19, P.S.- Lakhisarai, District - Lakhisarai.

... .. Petitioner/s

Versus

1. The State of Bihar
2. X Daughter of Y Resident of Village - Bari Jamalpur, P.S.- Jamalpur, District - Munger.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Sanjiv Kumar Singh, Adv.

For the Opposite Party/s : Mr.Rajendra Nath Jha, APP

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CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

7 30-10-2025 Heard learned counsel for the petitioner and learned

APP for the State. In spite of valid service of notice, no one has

appeared on behalf of the O.P. No.2. Perused the case diary.

2. The petitioner seeks bail in connection with

Jamalpur P.S. Case No. 69 of 2024 instituted for the offences

under Sections 312, 376, 498(A) of the Indian Penal Code and

Sections 3/4/10 of the POCSO Act.

3. As per prosecution case, the accusation against the

petitioner is of establishing physical relation with the victim on

the false pretext of marriage.

4. Learned counsel for the petitioner submits that the

petitioner is innocent and has committed no offence as alleged



against him and has falsely been implicated in the present case. Learned counsel for the petitioner further submits that as a matter of fact the victim girl developed love affair with the petitioner and wanted to marry with him but, on denial, she filed the present false case of rape against the petitioner. He further submits that there is delay of twenty months in lodging the F.I.R. that too without there being any plausible explanation for the same which creates doubt in the veracity of the prosecution case. He further submits that nothing incriminating has been recovered from the conscious possession of the petitioner. The petitioner has no criminal antecedent and is languishing in judicial custody since 30.01.2025 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged is serious in nature. The victim girl in her statement recorded under Section 164 of the Cr.P.C. has supported the prosecution case.

6. Pursuant to the order of this Court, the learned court below has sent report regarding present stage of trial contained in letter no. 200 dated 10.09.2025.

7. From perusal of the aforesaid report dated 10.09.2025, it appears that the charge has been framed against



the petitioner and only the official witnesses i.e. the Investigating Officer and the Doctor are left to be examined.

8. Having heard learned counsel for the parties and taking into account the gravity and nature of the offence, the materials available in the case diary as also keeping in view the advanced stage of trial, this Court is not inclined to grant bail to the petitioner at this stage.

9. Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to expedite the trial and conclude the same expeditiously without any undue delay and unnecessary adjournments.

10. The District Magistrate, Munger and the Superintendent of Police, Munger are directed to ensure presence of the witnesses on time as and when required by the learned court below.

11. Let a copy of this order be sent to the District Magistrate, Munger and the Superintendent of Police, Munger for strict compliance of this order.

(Rudra Prakash Mishra, J)

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