

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29550 of 2025

Arising Out of PS. Case No.-20 Year-2022 Thana- NAUHATTA District- Saharsa

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Rahul Sharma @ Rahul Kumar @ Rahul Kumar Sharma, S/O Ganesh Sharma, R/O Village- Goriyari Chowk, Ward No. 8, Forbesganj, Dist.- Araria at present Nougaha Bhagkohalia, P.S- Forbeshganj, Distt.- Araria.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Omprakash Thakur, S/o late Rameshwar Thakur, Village Gopipur, Ward No. 4, Po And Ps Nauhatta, Dist Saharsa

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Diwakar Prasad Singh, Adv.
For the Opposite Party/s : Mr. Anand Kishore Choudhary, Adv.

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CORAM: HONOURABLE MR. JUSTICE HARISH KUMAR
ORAL ORDER

5 07-11-2025 Heard learned Advocate appearing on behalf of the petitioner and the learned Additional Public Prosecutor for the State.

2. This is the second attempt made on behalf of the petitioner for grant of regular bail in connection with Special (POCSO) Case No. 54 of 2022 corresponding to Nauhatta P.S. Case No. 20 of 2022 registered for the offences punishable under Sections 363, 366-A and 34 of the Indian Penal Code and Sections 8, 10 and 12 of the POCSO Act.

3. Earlier the prayer for bail of the petitioner came to be negated by this Court after taking into consideration the statement of the victim recorded under Section 164 of the Code



of Criminal Procedure as also the fact that charges had already been framed and trial had commenced.

4. Learned Advocate for the petitioner referring to the order, afore-noted, submitted that while negating the prayer for bail of the petitioner liberty was accorded to renew his prayer for bail, after recording the deposition of the victim as well as the informant before the trial Court. It is thus contended that now the informant and the victim have already been examined. Now the petitioner has been incarcerated since 30.05.2022, and moreover, two years have been lapsed, and, as such, he renews his prayer for bail.

5. On the other hand, learned Additional Public Prosecutor for the State vehemently opposes the bail application and submits that from the record it appears that the trial will be likely to be concluded within two months and, as such, at the fag end of the trial, the prayer of the petitioner does not require any consideration.

6. Having considered the submissions advanced by learned Advocate for the respective parties and taking note of the deposition of the victim, as also the present status report wherein it is apprised to this Court that the trial is likely to be concluded within two months, this Court is not persuaded to



enlarge the petitioner on bail. Accordingly, the prayer for bail of the petitioner stands rejected.

7. However, if the trial is not concluded within a period of three months from the date of receipt/production of the copy of this order, the petitioner shall be at liberty to renew his prayer for bail.

(Harish Kumar, J)

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