

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31619 of 2025

Arising Out of PS. Case No.-244 Year-2023 Thana- CHHATAUNI District- East Champaran

Nishant Raj @ Nishant Reza @ Nishant Reja S/o Late Raj Babu @ Md.
Motiur Rahman @ Raj Babu @ Motihar Rehman @ Motiur Rahaman R/o vill
- Chaklalu, Chhota Mohallah, P.S.- Mehsi, Distt.- East Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sunita Sharma W/o Late Guneshwar Prasad Sharma R/o vill - Mathiya Dih
Dhaka Road, P.S.- Chhatauni, Distt.- East Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Suraj Kumar Tiwari, Advocate
For the Opposite Party/s : Mr. Madan Kumar, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

5 10-09-2025 Heard Mr. Suraj Kumar Tiwari, learned counsel for
the petitioner and Mr. Madan Kumar, learned Additional Public
Prosecutor for the State.

2. Petitioner seeks bail who is in custody since
29.05.2023 in connection with Sessions Trial No. 365 of 2024
arising out of Chhatuani P.S. Case No. 244 of 2023, F.I.R. dated
28.05.2023 for the offences punishable under Sections 376, 386,
420 and 506 of the Indian Penal Code and Sections 67 and
67(A) of the Information Technology Act.

3. Earlier the bail application of the petitioner has been
rejected twice vide order dated 05.09.2023 and 20.03.2024
passed in Cr. Misc. No. 57628 of 2023 and Cr. Misc. No. 16826
of 2024 respectively.

4. Learned counsel for the petitioner submits that
petitioner has clean antecedent and he has falsely been



implicated in the present case. He further submits that the petitioner is in custody since 29.05.2023 and the trial has not been concluded as yet.

5. Vide order dated 11.07.2025 a report was called with regard to the present stage of trial. Report of the learned Trial Court dated 29.07.2025 reveals that 7 witnesses have already been examined and the case is pending for examination of rest of the prosecution witnesses.

6. Learned Additional Public Prosecutor has vehemently opposed the prayer for bail of the petitioner.

7. Considering the report of the learned Trial Court, I am not inclined to enlarge the petitioner on bail in connection with Sessions Trial No. 365 of 2024 arising out of Chhatuani P.S. Case No. 244 of 2023 pending in the court of learned Additional District & Sessions Judge, Exclusive Special Judge (Rape and POCSO Cases), East Champaran, Motihari.

8. Prayer is refused.

9. However, learned Trial Court is directed to expedite and conclude the trial at the earliest.

(Rajesh Kumar Verma, J)

Vanisha/-

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