

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.42382 of 2024

Arising Out of PS. Case No.-14 Year-2024 Thana- MAHILA PS District- Buxar

Sidhi Ram @ Sidhnath Ram Son Of Late Moti Ram Resident Of Village-
Baraki Nainijor, Ps- Nainijor (OP) , Dist- Buxar

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Chhoti Devi R/O vill- Braki Nainijor, PS- Nainijor(O.P.), Dist- Buxar

... .. Opposite Party/s

Appearance :

For the Petitioner/s :	Mr. Arun Kumar Gupta, Advocate
For the Opposite Party/s :	Mr. Nityanand Tiwary, APP
For the Informant :	Mr. Arvind Kumar Pradhan, Advocate
	Mr. Krishna Gond, Advocate

CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH MISHRA

ORAL ORDER

5 15-12-2025 Heard Mr. Arun Kumar Gupta, learned counsel for the petitioner, Mr. Nityanand Tiwary, learned APP for the State, Mr. Arvind Kumar Pradhan, learned counsel for the informant and perused the case diary.

2. The petitioner seeks bail in connection with Buxar (Mahila) P.S. Case No. 14 of 2024, instituted for the offences punishable under Section 376 of the Indian Penal Code and Section 4 of POCSO Act.

3. The prosecution case, in short, is that the petitioner has committed rape upon minor daughter of the informant when she went to attend nature’s call.

4. Learned counsel for the petitioner submits that the



petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Learned counsel for the petitioner also submits that the petitioner is 70 years old man and has committed no offence as alleged in the FIR. It is next submitted that statement of the victim recorded under Sections 161 and 164 of Cr.P.C. contradicts with each other as the medical report of the victim does not corroborate with the prosecution case. It is further submitted that the trial is in progress. The petitioner is in custody since 06.03.2024 and has got no criminal antecedent.

5. Learned APP for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner and submits that there is specific allegation of committing rape upon the victim by the petitioner. It is further submitted that the victim has supported the prosecution case in her statement recorded under Section 165 of Cr.P.C. Hence, the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.

7. The prayer is rejected. The trial Court is directed to expedite the Trial. However, if the trial is not concluded within a



period of six months from the date of receipt/production, the petitioner will have liberty to renew his prayer for bail in the Court below.

(Rudra Prakash Mishra, J)

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