

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43159 of 2025

Arising Out of PS. Case No.-18 Year-2025 Thana- SHANKARPUR District- Madhepura

Prabhu Sah Son of Guneshwar Sah @ Muneshwar Sah R/O Village-
Saropatti, Laxminiya Tols, Ward No.- 14, P.S.- Singheshwar, District-
Madhepura

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

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

For the Opposite Party/s : Mr. Harendra Prasad, APP

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

ORAL ORDER

4 31-10-2025 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in connection with Shankarpur P.S. Case No. 18 of 2025, instituted for the offences punishable under Sections 64, 75, 76, 3(5) of the Bharatiya Nyaya Sanhita, 2023, read with Section 67 of the I.T. Act, later on Sections 103(1) and 238 of the Bharatiya Nyaya Sanhita, 2023 were added.

3. The prosecution case, in short, is that a viral video of committing rape of a girl was being circulated on WhatsApp and Facebook. It is further alleged that the girl had committed suicide.

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 not named in the FIR. Name of the petitioner has transpired in this case in course of investigation. The petitioner has got no role in the whole incident. It is next submitted that no any photo or illicit video of the victim girl has been recovered from the possession of the petitioner. The petitioner is in custody since 29.01.2025 and has got one criminal antecedent in which he is on bail.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and has submitted that there is specific allegation against the petitioner. It is next submitted that the petitioner has confessed his guilt of recording the video and making the same viral in paragraph nos. 42 and 62 of the case diary. It is further submitted that regular bail of other co-accused has been rejected by this Court vide order dated 24.09.2025 passed in Cr. Misc. No. 56598 of 2025. 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.

(Rudra Prakash Mishra, J)

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