

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.43904 of 2025

Arising Out of PS. Case No.-382 Year-2023 Thana- BUNIYAD GANJ District- Gaya

Omkar Kevat @ Satyam Kumar @ Onkar Kevat Son of Devendra Kevat
Resident of Village- Nauranga, P.S.- Gaya Muffasil, Distt.- Gaya At Present
Arpakaliyachak, Ps- Hilsa, Dist- Naladan

... .. Petitioner/s

Versus

1. The State of Bihar
2. Uganti Devi Wife of Mukesh Mistri Resident of Manpur, Shivcharan Lane,
P.S.- Buniyadganj, Distt.- Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Aryan Singh, Advocate
For the Opposite Party/s	:	Mr. Choubey Jawahar, APP
For the Informant	:	Mr. Ujjawal Kumar Singh, Advocate

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

ORAL ORDER

5 19-09-2025 Heard learned counsel for the petitioner and learned APP
for the State as also learned counsel for the informant. Perused
the case diary.

2. The petitioner seeks bail in connection with
Buniyadganj P.S. Case No. 382 of 2023 (POCSO Case No. 248
of 2024) instituted for the offence under Sections 366(A), 506 &
34 of the Indian Penal Code and Sections 4 & 6 of the POCSO
Act.

3. Prosecution case in short is that the petitioner has
forcibly married the minor daughter of the informant and
established physical relationship with her.



4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 17-09-2024. Petitioner bears no criminal antecedent, as per disclosure made in paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case due to affair between the minor girl and petitioner. Sister of the petitioner is the tenant in the house of the informant and petitioner used to visit her house and in the meantime, love developed between the minor daughter of the informant and the petitioner. It is mainly contended that FIR is lodged after a delay of six months on the alleged apprehension of threat posed by the co-accused to face dire consequences. Charge sheet has been submitted in this case.

6. Learned A.P.P. for the State and learned counsel for the informant have vehemently opposed the prayer for grant of bail to the petitioner. It is fervently submitted that victim has supported the prosecution case in her statement recorded under Section 164 of the Cr.P.C. and it is specifically alleged against the petitioner that he forcibly raped her.

7. Considering the aforesaid facts and circumstances of the case, nature and gravity of the offence as also victim has



stated that petitioner raped with her forcibly, this Court is not inclined to grant bail to the petitioner. Prayer for grant of bail to the petitioner is hereby *rejected*.

8. The Trial Court is directed to expedite the trial as expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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