

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.45462 of 2025

Arising Out of PS. Case No.-41 Year-2025 Thana- PIRPAINTI District- Bhagalpur

Deepak Kumar Singh S/O Rajendra Prasad Singh @ Rajendra Singh R/O
Village- Kali Prasad, P.s.- Pirpanti, District Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mala Devi w/o - Karu Mandal R/o- Kalli Prasad ward no. - 2 P.S. - Pirpanti
Distt.- Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Yogesh Chandra Verma, Sr. Advocate Mr. P.K. Sinha, Advocate
For the State	:	Mr. Choubey Jawahar, APP
For the Informant	:	Mr. Dr. Manoj Kumar, Advocate

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

ORAL ORDER

6 13-11-2025 Heard Mr. Yogesh Chandra Verma, learned senior counsel
for the petitioner assisted by Mr. P.K. Sinha, Advocate and Mr.
Choubey Jawahar, learned APP for the State as also Mr. Dr.
Manoj Kumar, learned counsel for the informant. Perused the
case diary.

2. The petitioner seeks bail in connection with
Pirpanti P.S. Case No. 41 of 2025 instituted for the offence
under Section 64 of the Bharatiya Nyaya Sanhita, 2023, Section
4 of the POCSO Act and Section 37 of the Bihar Prohibition and
Excise Act.

3. Prosecution case in a nutshell is that petitioner



allegedly entered into the informant's home and rape the minor daughter of the informant when she was alone in home.

4. It has been submitted on behalf of the petitioner that the petitioner is in custody since 03.02.2025. Petitioner bears no criminal antecedents, 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 village rivalry and personal enmity. The written report itself shows contradictions, as the informant had locked her house from outside, making entry of the petitioner impossible. The medical report also negates allegations of rape, finding no injury or evidence of intercourse, and even the age of the alleged victim appears to be above 18 years. The case arises from a long-standing dispute over a passage, and no independent witness has supported the prosecution version.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is submitted that informant is the eye witness of the case and she has fully supported the prosecution case. Victim is mentally retarded hence her mother has given statement on her behalf. Charge sheet has already been submitted in this case under



Section 64 of the Bharatiya Nyaya Sanhita, 2023 and Section 4 of the POCSO Act.

7. Considering the aforesaid facts and circumstances of the case, nature and gravity of the offence as also the fact that informant, who is an eye witness, has supported the prosecution case, 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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