

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46810 of 2025

Arising Out of PS. Case No.-134 Year-2025 Thana- SISWAN District- Siwan

Nandan Singh S/O Suresh Singh Resident of vill.- Saipur, P.S.- Siswan, Dist.- Siwan

... .. Petitioner/s

Versus

1. The State Of Bihar BIHar
2. Shiv Kumari Devi W/O Sheoji Sah Resident of vill.- Saipur, P.S.- Siswan, Dist.- Siwan

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Kumari Anupam
For the Opposite Party/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE CHANDRA PRAKASH SINGH

ORAL ORDER

3 18-08-2025 Heard learned counsel for the petitioner and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Siswan P.S. Case No. 134 of 2025 dated 22.04.2025 registered for the offences punishable u/ss 126(2), 115(2), 65(1), 352 of the BNS and section 4/6 of the POCSO Act and section 3(1) (r) (s), (w) 3(2) (va) of the SC/ST Act.

3. As per the prosecution case, the petitioner is alleged to have committed rape on the informant's minor daughter.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The medical report does not support the prosecution.



There is no eyewitness to the alleged offence. As per FIR, no member of public was present at the relevant point of time of the alleged incident hence no case is made out under SC/ST Act. The petitioner has clean antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 23.04.2025.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner by submitting that the victim is a minor girl aged about 15-17 years and there is direct allegation against the petitioner of committing rape on her. It is further stated that the victim in her statement recorded u/s 183 of the BNSS has also supported the prosecution case. It is further submitted that it is settled law that the ocular evidence always prevails on the medical report.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of allegation against the petitioner, I am not inclined to enlarge the petitioner on bail. Accordingly, the application stands rejected.

7. The learned trial court is directed to expedite the trial and conclude the same.

(Chandra Prakash Singh, J)

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