

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.52333 of 2025

Arising Out of PS. Case No.-4 Year-2023 Thana- BYPASS District- Patna

Triveni Kumar Son of Late Basant Sao R/O- Raghapur, P.S.- Jurawanpur,
Distt.- Vaishali. A/P- Renter of Shashi Bind, R/O- Bahari Begampur, P.S.-
Bypass, Distt.- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Nirupa Devi Wife of Late Sanjay Kumar R/O- Bahri Begampur, Par Pokhra,
Patna City, P.S.- Bypass, Dist.- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Nityanand Kumar, Advocate
For the State	:	Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 01-08-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. This is the third attempt on behalf of the petitioner
for grant of bail in connection with Bypass P.S. Case No. 04 of
2023 (Special Case (POCSO) No. 28 of 2023) registered for the
offence punishable under Sections 376D of the Indian Penal
Code and Section 4/6/8 of the POCSO Act.

3. Earlier the bail application of the petitioner has
been rejected twice.

4. The following order was passed on 13.03.2024 in
Cr. Misc. No. 20633 of 2024 which reads as under:

*“Heard learned counsel for the
petitioner and learned APP for the State.*



2. This is the second attempt for bail of the petitioner as earlier such prayer was rejected by order dated 23.08.2023 in Cr. Misc. No. 52079 of 2023.

3. The petitioner seeks bail in connection with Bypass P.S. Case No. 04 of 2023 (Special Case (POCSO) No. 28 of 2023) registered for the offence punishable under Sections 376D of the Indian Penal Code and Section 4/6/8 of the POCSO Act.

4. As per the F.I.R., the informant alleged that the co-accused persons including one tempo driver committed rape with her minor daughter.

5. By order dated 23.08.2023 passed in Cr. Misc. No.52079 of 2023, the prayer for bail of the petitioner was rejected.

6. The petitioner is a party to a gang rape of a 14 year old girl. Materials have come during investigation to connect the petitioner was the crime.

7. I am not inclined to grant bail to the petitioner even if some co-accused has been granted bail.

8. Accordingly, this application stands dismissed.

9. The Court below is directed to expedite the trial.”

5. Learned counsel for the petitioner submits that only one witness out of eight have been examined in the trial and the trial is delayed.

6. Considering the gravity of offence, I am not inclined to grant bail to the petitioner.

7. Accordingly, the application stands dismissed.

8. The SHO of Bypass Police Station, Patna is directed to ensure the attendance of the witnesses in the trial.



9. Let a copy of this order be communicated to the Senior Superintendent of Police, Patna forthwith through FAX or e-mail for its compliance.

(Sandeep Kumar, J)

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