

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62595 of 2024

Arising Out of PS. Case No.-28 Year-2023 Thana- MAHILA PS District- Darbhanga

Vijay Sahu @ Vijay Kumar Sahu Son of Devchandra Sahu Resident of
Village - Mahri, Nadiyami, P.S. - Kusheshwarsthan, District - Darbhanga,
Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Runa Devi Wife of Nanku Sahu Resident of Village - Mahri, P.O. -
Nadiyami, P.S. - Kusheshwarsthan, District - Darbhanga, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Dhananjay Kumar, Advocate Mr. Kundan Kumar Jha, Advocate Mr. Neelmani Raj, Advocate Mr. Navneet Prabhakar, Advocate
For the State	:	Mrs. Pushpa Sinha, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

7 06-05-2025 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

2. Petitioner seeks regular bail in connection with
Mahila P.S. Case No. 28 of 2023 for the offences punishable
under Sections 376(D), 354(C), 506/34 of the Indian Penal Code
and Section 4, 6 of POCSO Act.

3. The allegation against the petitioner is that he along
with other co-accused persons has recorded a video of the minor
daughter of the informant while she was taking bath and they
threatened the victim girl to make the said video viral and on



such threat, the petitioner and the other co-accused persons committed gang rape with her. When she refused, they all threatened to kill her entire family if she complained anywhere.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has not committed any offence in the manner alleged. He further submits that the case has been lodged after much delay of the said incident. Learned counsel for the petitioner further submits that petitioner has been made accused due to a caste issue which prevails in the village and it was on account of such dispute, the petitioner has falsely been implicated in this case. Lastly, learned counsel submits that petitioner has clean antecedent and he is in custody since 26.06.2024.

5. Learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail and has stated that the petitioner is an accused of being a party of a gang rape and also making the video of the minor victim girl viral.

6. Considering the aforesaid submissions made by the respective parties and taking into consideration the fact that the victim is the minor girl and the DNA report which has been sent by the court below, it was found that the sbaby, born out of such atrocity, is the biological daughter of the petitioner. Considering



the above, I am not inclined to grant the petitioner privilege of regular bail.

7. The application is therefore dismissed.

8. The learned Trial Court is expected to expedite the trial of this case.

(Sourendra Pandey, J)

Siwani/-

U		T	
---	--	---	--

