

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62994 of 2024

Arising Out of PS. Case No.-18 Year-2024 Thana- MAHILA P.S. District- Kaimur (Bhabua)

Satya Prakash Verma Son of Subhash Chandra Prasad R/O Vill.- Karji, P.S.-
Chainpur, Distt- Kaimur (Bhabua)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Pinki Devi Wife of Late Manoj Soni @ Daughter of Subhash Chandra Prasad R/O Vill.- Karji, P.O.- Karji, P.S.- Chainpur, Dist.- Kaimur, Pin-821106

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Rakesh Kumar Mishra, Advocate
For the Opposite Party/s : Mr. Dinesh Singh, APP

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

ORAL ORDER

4 22-01-2025 Heard learned counsel for the petitioner, learned
APP for the State and perused the case diary.

2. The petitioner seeks bail in Mahila (Bhabua) P.S.
Case No. 18 of 2024, instituted for the offences punishable
under Sections 341, 323, 354(B) of the Indian Penal Code and
Section 12 of the POCSO Act.

3. The prosecution case, in short, is that, petitioner is
the elder brother of the informant and he always used to harass
and threaten the minor daughter of the informant to make
physical relationship with him. It is further alleged that the
petitioner forcibly molested the minor daughter of the
informant.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Learned counsel for the petitioner also submits that the petitioner and informant are brother and sister and mental condition of the petitioner is not good and he is also under treatment from Mental Hospital, Kanke (Ranchi, Jharkhand). It is further submitted that there were some disturbance in the family decisions between the informant and petitioner and due to this reason the petitioner has been falsely implicated in this case. The petitioner is in custody since 28.06.2024 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner. It is also submitted that there is specific allegation against the petitioner who is own maternal-uncle of the victim girl. The victim in her statement recorded under Section 164 of Cr.P.C. has also corroborated the allegations levelled against the petitioner. Hence, the petitioner does not deserve the privilege of bail.

6. As per report of learned Court below dated 22.11.2024, it transpires that the case is pending for prosecution evidence. Out of four charge-sheeted witnesses, prosecution has examined two witnesses. Trial is likely to be concluded within



six months.

7. Considering the aforesaid facts and circumstances of the case, stage of the trial, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.

8. The prayer is rejected. The trial Court is directed to expedite the Trial expeditiously.

(Rudra Prakash Mishra, J)

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