

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.59610 of 2025

Arising Out of PS. Case No.-40 Year-2023 Thana- CHAPRA TOWN District- Saran

Jitendra Yadav S/O Ranglal Yadav @ Ranglal Ray Resident Of Village-
Dahiyawa, P.S.- Chapra Town, Dist.- Saran (Chapra)

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rani Kumari D/O Late Om Prakash Mahto Resident Of Village- Dahiyawa
Dargah, P.S.- Chapra Town, Dist.- Saran (Chapra)

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ajay Kumar Tiwary, Advocate

For the Opposite Party/s : Mr.Jharkhandi Upadhyaya, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 26-09-2025 Heard learned counsel for the petitioner and learned
A.P.P. for the State.

2.This application for grant of regular bail in connection with POCSO Case No. 35 of 2023 arising out of Chapra Town P.S. Case No. 40 of 2023 registered for the offence punishable under sections 376, D.B., 376(2)(g) of the Indian Penal Code and under sections 4, 6 and 8 of the POCSO Act.

3. Earlier the prayer for bail of the petitioner was rejected by this Court on 27.02.2024 in Cr. Misc. No. 74137 of 2023 by the following order:-

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



2. *The petitioner seeks bail in connection with Chhapra Town P.S. Case No. 40 of 2023 registered for the offence under Section 376, D.B. 376 (2)(g) of the Indian Penal Code and under Section 4, 6, 8 of the POCSO Act.*

3. *As per the prosecution case, the petitioner is said to have committed rape upon a minor girl.*

4. *Learned counsel for the petitioner submits that the petitioner is innocent and he has falsely been implicated in this case.*

5. *It is also submitted by the learned counsel for the petitioner that the petitioner is in jail since 16.1.2023.*

6. *Learned APP for the State vehemently opposed the prayer of the petitioner for grant of bail.*

7. *Considering the serious allegations of rape against the petitioner, this Court is not inclined to grant bail to the petitioner.*

8. *Accordingly, this application is dismissed.*

9. *The trial Court is directed to expedite the trial of the petitioner and conclude the same at the earliest.*

4. Learned counsel for the petitioner submits that the petitioner is in jail since 16.01.2023. Learned counsel further submits that charges have been framed in the learned Trial Court against the petitioner on 19.08.2024 but no witness has been examined till date. The petitioner undertakes to cooperate in the case/trial.



5. Considering the gravity of the offence, I am not inclined to grant bail to the petitioner. Accordingly, this application stands dismissed.

6. The Special Judge holding the trial is directed to expedite the trial and conclude the same at the earliest.

7. The Superintendent of Police, Saran is directed to ensure the appearance of the witnesses on the date fixed in the trial.

8. Let a copy of this order be communicated to the Superintendent of Police, Saran and learned Additional Sessions Judge-VI-cum-Exclusive Special Judge (POCSO Act), Chapra, District-Saran through FAX and e-mail for its due compliance.

(Sandeep Kumar, J)

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