

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.61350 of 2025

Arising Out of PS. Case No.-15 Year-2025 Thana- MAHILA PS District- Katihar

Vishnu Sah @ Bishnu kr. Sah Son of Mohan Sah Resident of village
-Sharifganj PS- Sahayak District -Katihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. Y wife of Z Resident of Village- W Ps- Falka, Dist- Katihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Md Musowir, Advocate
For the Opposite Party/s	:	Mr. Akshay Lal Pandit, APP
For the Informant	:	Mr. Ramakant Yadav, Advocate

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

ORAL ORDER

6 15-12-2025 Heard learned counsel for the petitioner, learned
counsel for the informant and learned APP for the State.

2. The petitioner seeks bail in connection with G.R.
No. 2380 of 2025, Mahila P.S. Case No. 15 of 2025 instituted
for the offences under Section 64 of the Bharatiya Nyaya
Sanhita, 2023 and Section 4 of the POCSO Act.

3. Allegation against the petitioner is of commission of
rape upon the informant.

4. Learned counsel for the petitioner submitted that the
petitioner has falsely been implicated in the present case.



Learned counsel for the petitioner is the brother-in-law of the victim and the allegation levelled against him are false and concocted. Learned counsel further submitted that there is a delay of about seven months in lodging the FIR without any plausible explanation, which in itself, raises doubt over the prosecution story. It has been submitted on behalf of the petitioner that the petitioner is in custody since 02.05.2025 and has no criminal antecedent.

5. Learned A.P.P. for the State and learned counsel for the informant vehemently opposed the prayer for grant of bail to the petitioner. Learned APP further submitted that victim in her statement recorded under Section 183 of the BNSS has corroborated the contents of the FIR and the same is further substantiated by the medical report of the victim, and therefore, the petitioner does not deserve to be released on bail. Learned counsel for the informant further submitted that trial is already in progress and two witnesses have already been examined as evident from the order impugned.

6. Considering the aforesaid facts and circumstances of the case, Section 183 BNSS statement of the victim as also the present stage of the trial, this Court is not inclined to grant bail to the petitioner at this stage.



7. Accordingly, the prayer for grant of bail to the petitioner is, hereby, rejected.

8. Learned Trial Court is directed to expedite the trial.

(Rudra Prakash Mishra, J)

Alok Verma/-

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

