

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.63803 of 2025

Arising Out of PS. Case No.-69 Year-2025 Thana- RUPASPUR District- Patna

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Gopal Kumar Jha @ Gopal Jha S/o Mod Narayan Jha @ Bachchu Vavu Jha
R/o Village - Pokhram Phulwari Tol, P.S - Biraul, District - Darbhanga

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jyoti Devi W/o Mukesh Jha R/o Mohalla - Arpana Bank Colony, Road No. 12 C, P.S - Rupaspur, District - Patna

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Girish Chandra Jha, Advocate
For the Opposite Party/s : Ms. Meena Singh, APP

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

ORAL ORDER

4 19-11-2025 Heard learned counsel for the petitioner and learned

APP for the State. None appears on behalf of the informant
despite notice being validly served. Perused the case diary.

2. The petitioner seeks bail in connection with Special
POCSO Case No. 37 of 2025 arising out of Rupaspur P.S. Case
No. 69 of 2025 instituted for the offences under Sections 65(1),
351(2), 351(3) of the Bharatiya Nyaya Sanhita, 2023 and
Sections 4/6 of the POCSO Act.

3. Allegation against the accused persons including the
petitioner is of commission of rape upon the victim girl.



4. Learned counsel for the petitioner submitted that the petitioner is innocent and has falsely been implicated in the present case. Learned counsel for the petitioner submitted that general and omnibus allegation has been made against the petitioner. Learned counsel further submitted that the petitioner is being dragged in this case merely due to previous land dispute between the parties. Learned counsel further submitted that as per the medical report, no spermatozoa was found on the body of the victim. It has been submitted on behalf of the petitioner that the petitioner is in custody since 30.01.2025 and has no criminal antecedent.

5. Learned A.P.P. for the State 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 therefore, the petitioner does not deserve to be released on bail.

6. Considering the aforesaid facts and circumstances of the case as also Section 183 BNSS statement of the victim, 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)

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