

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74064 of 2025

Arising Out of PS. Case No.-114 Year-2024 Thana- JURAWANPUR District- Vaishali

Rahul Kumar S/o Setha Rai @ Seth Rai R/o Village- Raghapur Purbi, P.S.-
Jurawanpur, District- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. X D/o Rajendra Rai R/o Village- Ralghapur Purbi, P.S.- Jurawanpur,
District- Vaishali

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Alok Kumar Alok, Advocate

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

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

ORAL ORDER

2 31-10-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner seeks bail in Jurawanpur P.S. case
No. 114/24, G.R. No. 95/24 instituted for the offences under
Section 376 of Indian Penal Code and Sections 4/6 of POCSO
Act. The present one is second application for grant of bail filed
on behalf of the petitioner. Earlier, the petitioner has moved this
Court for grant of regular bail which was rejected on merit
taking into account nature of accusation and the gravity of
offence.

3. Prosecution allegation, in short, is that the petitioner
has committed rape upon the informant, who is a minor girl, by



entering into her house and fled away from the place of occurrence and also threatened her for dire consequences.

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 further submits that the petitioner is in custody since 30.06.2024 and has no criminal antecedent.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Learned APP has relied upon a decision of the Hon'ble Apex Court reported in **2024 SCC OnLine SC 3539 (X. vs. State of Rajasthan & Anr.)**, wherein in paragraph no. 14, the Hon'ble Apex Court has held as under:

“14. Ordinarily in serious offences like rape, murder, dacoity, etc., once the trial commences and the prosecution starts examining its witnesses, the Court, be it the Trial Court or the High Court should be loath in entertaining the bail application of the accused.”

7. Considering the aforesaid facts and circumstances of the case, this court does not find any fresh ground to reconsider the matter which has already been decided on merit.



8. The prayer is rejected. The Trial Court is directed to take all necessary steps to conclude the trial expeditiously preferably within a period of three months from the date of receipt/production of a copy of this order.

9. If the trial is not concluded within the aforesaid period of three months, the petitioner will be at liberty to renew his prayer for bail before the Court below.

(Rudra Prakash Mishra, J)

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