

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78055 of 2024

Arising Out of PS. Case No.-77 Year-2024 Thana- TISIAUTA District- Vaishali

Deepak Kumar Son of Rajkumar Chaudhary Resident of Village and P.O.-
Loma, P.S. - Tisiauta, District - Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. Sumant Kumar Ishwar Son of Chandeshwar Ishwar Resident of Village and
P.O.- Loma, P.S. - Tisiauta, District - Vaishali

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Surendra Prasad Singh, Advocate
For the Informant/s	:	Mr. Gaurav Kumar, Advocate
		Mr. Mukund Kumar, Advocate
For the Opposite Party/s	:	Ms. Nirmala Kumari, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 30-01-2025 Heard learned counsel for the petitioner; learned counsel

for the informant and Ms. Nirmala Kumari, learned APP for the

State.

2. The petitioner has prayed for regular bail in a case

registered for the offence punishable under Section 6 of the

POCSO Act and Section 75 of Juvenile Justice Act, 2015.

3. The case of the prosecution is that the petitioner has

committed carnal intercourse/unnatural sex with the victim of

this case.

4. Learned counsel for the petitioner submits that the

petitioner is innocent and has committed no offence. He has

falsely been implicated in this case. He has got no criminal

antecedent. It is further submitted that the petitioner is

languishing in judicial custody since 23.07.2024.



5. Learned APP appearing for the state and learned counsel for the informant have opposed the prayer of regular bail and submitted that during course of investigation, the victim has given statement under Section 180 and 183 of the BNSS, where he has fully supported the version of the prosecution and has categorically stated that the petitioner has committed carnal intercourse with him. It is also submitted in trial court, parties have compromised. This Court has also gone through the medical examination of the victim, and from the said examination, the allegation stands proved at this juncture.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, this court is not inclined to enlarge the petitioner on bail at this stage.

7. However, if the trial does not conclude within a period of six months, petitioner is at liberty to renew his prayer for bail, if so advised.

(Ashok Kumar Pandey, J)

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