

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86393 of 2024

Arising Out of PS. Case No.-303 Year-2023 Thana- KURTHA District- Jehanabad

Gobind Kumar S/O Butai Yadav R/O Village- Ahmadpur Harna Mathiya, P.S-
Kurtha, Distt.- Arwal.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. Raja Ram Ram S/O Munarik Ram R/O Village- Ahmadpur, Harna, P.S-
Kurtha, Distt.- Arwal.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shivendra Prasad, Advocate
For the State : Mr.Anil Kumar, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 08-01-2025 Heard learned counsel for the petitioner and learned
APP for the State.

2. This is the second attempt for bail of the petitioner
as earlier such prayer was rejected by order dated 04.04.2024 in
Cr. Misc. No. 22560 of 2024.

3. The petitioner seeks bail in connection with Kurtha
P.S. Case No.303 of 2023 registered for the offence punishable
under sections 342 and 376 of the Indian Penal Code and under
section 4 of the POCSO Act.

4. The following order was passed on 04.04.2024 in
Cr. Misc. No.22560 of 2024 which reads as under:

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

*2. This application for grant of
regular bail arises out of Kurtha Manikpur P.S.
Case No.303 of 2023 registered for the offence*



punishable under sections 342, 376, 363, 504 & 506/34 of the Indian Penal Code and under section 4 of the POCSO Act.

3. The petitioner and his family members are accused of kidnapping and committing rape upon the victim.

4. From reading of the F.I.R., it appears that the victim was kept in the house of the petitioner for the entire night and was raped by the petitioner and his family members.

5. It has been argued by learned counsel for the petitioner that the petitioner and his entire family have falsely been implicated in this case because they have some previous dispute with the informant side.

6. In the opinion of this Court, this defence cannot be seen at this stage.

7. Considering the nature of allegation levelled against the petitioner, I am not inclined to grant the petitioner privilege of regular bail. Accordingly, this bail application is rejected. The trial court is directed to expedite the trial and conclude the same as early as possible.”

5. Learned counsel for the petitioner has submitted that the trial has started and one witness has been examined.

6. Considering the allegation of rape against the petitioner, I am not inclined to review my earlier order.

7. Accordingly, this application stands dismissed.

8. The Court below is directed to expedite the trial.

(Sandeep Kumar, J)

P. Kumar

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