

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.74150 of 2025**

Arising Out of PS. Case No.-432 Year-2025 Thana- BARH District- Patna

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Arun Singh S/o Late Baleshwar Singh Resident of Village- Mahmadpur, P.S.-  
Barh , Dist- Patna

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rahul Singh S/o Karu Singh R/o vill - Mahmadpur, P.S.- Barh, Distt.- Patna

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr.Saurav Anand, Advocate

For the Opposite Party/s : Mr.navin Kumar Pandey,APP

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**CORAM: HONOURABLE MR. JUSTICE CHANDRA SHEKHAR JHA**  
**ORAL ORDER**

2      07-11-2025                      Heard learned counsel appearing on behalf of the  
  
petitioner and learned A.P.P. for the State.

2. The accused/petitioner seeks bail in connection  
  
with Trial No. 79 of 2025 arising out of Barh P.S. Case No.  
  
432 of 2025 registered for the offences under Sections 65(2)  
  
of the Bhartiya Nyay Sanhita, 2023 (in short, the 'B.N.S.')

and section 4, 6 of POCSO Act.

3. The accused/petitioner is named in the First  
  
Information Report and is in custody since 16.07.2025.

4. Allegation against the petitioner is to commit  
  
penetrative sexual assault/rape upon minor daughter of the  
  
informant aged about four (4) years, whenever she visited the



grocery shop of the petitioner.

5. It is submitted by learned counsel appearing on behalf of the petitioner that out of village politics arising out of monetary dispute, the petitioner was implicated falsely with the present case. It is also submitted that upon medical examination nothing incriminating was found upon victim.

6. While concluding argument, it is submitted that petitioner found involved in one more criminal case, where he is on bail and, moreover, investigation of this case is already completed, for which charge-sheet has been submitted, and as such, there is no chance of tampering with the evidence.

7. Learned A.P.P. for the State duly assisted by learned counsel appearing for the informant, while opposing the prayer for bail of the petitioner, submitted that upon medical examination the injury was found upon private part of the victim, who was only four (4) years old at the time of occurrence. It is pointed out that victim categorically stated against this petitioner, while recording her statement under Section 180 of the BNSS, that he put his finger in her private part. It is also submitted that petitioner is accused of similar



nature of offence.

8. In view of aforesaid factual submission and by taking note of the fact as victim received injury on her private part and also through her statement recorded under section 180 of the B.N.S.S., victim categorically alleged this petitioner to commit penetrative sexual assault upon her, coupled with the fact that petitioner found indulged in similar nature of offence prior to this occurrence, accordingly, prayer of bail of this petitioner stands rejected for the present.

9. Considering the age of petitioner as 72 years and as he is in custody since 16.07.2025, learned trial court is directed to conclude the trial expeditiously within preferred timeline of one year from the date of cognizance as available under section 35(2) of the POCSO Act, failing which petitioner may renew his prayer of bail, if so advised.

**(Chandra Shekhar Jha, J)**

Rajeev/-

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