

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.80424 of 2024**

Arising Out of PS. Case No.-198 Year-2024 Thana- RAGHOPUR District- Supaul

Gulten Sah Son of Late Domi Sah Resident of Triveniganj, Ward No. 05,  
Nagar Prishad, Police Station - Triveniganj, Dist.- Supaul.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mina Devi Wife of Bhuvneshwar Sharma R/O Motipur Ward no. 06, P.S.-  
Karjain, Dist.- Supaul, At Present R/at Raghopur Manohar Chhatravas, P.S.-  
Raghopur, Dist.- Supaul.

... .. Opposite Party/s

**Appearance :**

For the Petitioner/s : Mr. Arun, Adv.  
For the Opposite Party/s : Mr.Tarun Prasad Mandal, APP  
For the Informant : Mr. Rajesh Kumar Sinha, Adv.

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

ORAL ORDER

3      17-02-2025                      Heard learned counsel for the petitioner and learned  
  
APP for the State as also learned counsel for the State. Perused  
  
the case diary.

2. The petitioner seeks bail in connection with  
  
Raghopur P.S. Case No. 198 of 2024 instituted for the offences  
  
under Sections 342, 376, 504 of the Indian Penal Code.

3. As per prosecution case, the accusation against the  
  
petitioner is of exploiting and committing rape upon the victim  
  
by adopting deceiving tactics.

4. Learned counsel for the petitioner submits that the  
  
petitioner is innocent and has committed no offence at all as



alleged against him rather he has falsely been implicated in the present case due to local politics and enmity and with a view to cause harassment. He submits that the date of occurrence is from 01.12.2023 to 02.03.2024 regarding which a complaint petition was filed on 06.03.2024 and, thereafter, F.I.R. was instituted on 06.06.2026 under the provisions of Section 156(3) of the Cr.P.C. He further submits that the age of the victim according to Bihar Sanskrit Board, Patna is 01.01.2001 and, according to Medical Board, the victim is aged about 18-20 years old. He further submits that the victim is not the Informant rather the Informant is the mother of the victim. The petitioner has no criminal antecedent and is languishing in judicial custody since 20.07.2024 without any rhymes or reason.

5. On the other hand, learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner, stating that the offence alleged against the petitioner is serious in nature. The petitioner is named in the F.I.R. The Informant in her re-statement in Para-6 of the case diary and several witnesses in Para 7, 8 & 9 of the case diary have fully supported the prosecution case. The victim, in her statements recorded under Sections 161 and 164 Cr.P.C., has made specific allegation against the petitioner of sexual exploitation and rape.



6. Having heard learned counsel for the parties and considering the nature and gravity of the offence as also taking into account the statements of the victim girl recorded under Sections 164 of the Cr.P.C., this Court is not inclined to grant bail to the petitioner.

7. Accordingly, the prayer for bail of the petitioner, above named, is rejected with a direction to the court below to expedite the trial and conclude the same expeditiously.

**(Rudra Prakash Mishra, J)**

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