

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.686 of 2025

Arising Out of PS. Case No.-182 Year-2024 Thana- DHANAHA District- West Champaran

Santosh @ Santosh Ram Son of Paras Ram Resident of Vill- Tamkuha, P.S.-
Dhanha, Dist- West Champaran

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kumari Rinku Ram D/O- Subhash Ram Resident of Vill- Tamkuha, P.O.-
Daunaha, Block, Madhubani, P.S.- Dhanha, Dist- West Champaran

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjeev Kumar, Advocate
For the Opposite Party/s : Mr. Choubey Jawahar, APP

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

ORAL ORDER

5 16-04-2025 Heard Mr. Sanjeev Kumar, learned counsel for the

petitioner and Mr. Choubey Jawahar, learned APP for the State.

Perused the case diary.

2. The petitioner seeks bail in connection with

Dhanha P.S. Case No. 182 of 2024 instituted for the offence

under Sections 376 of the Indian Penal Code and Section 4 of

the POCSO Act.

3. As per prosecution case, accusation against the

petitioner is of committing rape upon the informant.

4. It has been submitted on behalf of the petitioner

that the petitioner is in custody since 18-10-2024. Petitioner

bears no criminal antecedent, as per disclosure made in



paragraph No. 3 of the bail application.

5. It has been further submitted by the petitioner's counsel that petitioner has been falsely implicated in the present case. There is delay of six months in lodging the FIR. It is submitted that the present case appears to be a case of consensual relationship between two adolescents. Learned counsel referring to medical report submits that there is no recent sign of sexual assault. Police after completion of investigation has submitted charge sheet in this case.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Referring to statement of the victim recorded under Section 183 of the BNSS, it is submitted that victim has supported the prosecution case. Moreover, victim is minor. Hence, petitioner does not deserve the privilege of bail.

7. Considering the aforesaid facts and circumstances of the case, there being direct allegation against the petitioner, which is corroborated by the statement of the victim recorded under Section 183 of the BNSS, 2023 coupled with the fact that victim is minor, this Court is not inclined to grant bail to the petitioner. Prayer for grant of bail is, accordingly, *rejected*.

8. The Trial Court is directed to expedite the trial as



expeditiously as possible without any undue delay and unnecessary adjournments.

(Rudra Prakash Mishra, J)

Raj Kishore/-

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