

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.86795 of 2024

Arising Out of PS. Case No.-156 Year-2023 Thana- NAWADA MUFFASIL District- Nawada

Pappu @ Prashant Kumar S/o- Pradeep Saw Resident of Village- Beldhar PS-
Nawada Muffasil District- Nawada

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ms. XYZ D/o- Vishesar Paswan Resident of Village- Beldhar PS- Nawada
Muffasil District- Nawada

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sudhanshu Kumar, Advocate
For the Opposite Party/s : Mr. Sadanand Paswan, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 21-02-2025

1. Heard learned counsel for the parties.

2. The petitioner has renewed his prayer for grant of regular bail in connection with Nawada Muffasil P.S. Case no.156 of 2023 registered under section 376 of the Indian Penal Code, section 3(i)(r)(s)(w) of the S.C. and S.T. (POA) Act, 1989 and sections 4 and 12 of the POCSO Act, 2012.

3. As per the prosecution case, the informant states that the petitioner who used to visit her house for purpose of giving medical treatment forced himself upon her and forcibly established physical relations with her.

4. Learned counsel for the petitioner submits that the prayer for bail of the petitioner was earlier rejected vide order



dated 16.4.2024 passed in Cr. Misc. no.6316 of 2024. The petitioner has a good case on merits. Inspite of the petitioner being in custody since 6.10.2023, the trial has still not concluded nor there is any chance of the same concluding in the near future. The petitioner undertakes to cooperate in the trial and to abide by any conditions which may be laid by this Court for his release on bail.

5. The application for bail is opposed by learned A.P.P. for the State.

6. A report was called for from the learned trial Court. As per the report received contained in letter dated 8.1.2025, charge was framed in the learned Court below on 20.9.2023 and the evidence of the prosecution witnesses have been closed on 7.1.2025. The case is fixed for recording the statement of the accused under section 313 Cr.P.C. The report further states that it is the learned defence counsel who has sought an adjournment for preferring revision against the order of the learned trial Court, but no stay order having brought, the Court is proceeding with the trial.

7. Having heard learned counsel for the parties and taking into consideration the allegations against the petitioner in the FIR, the same having been supported by the victim in her



statement under section 164 Cr.P.C. and the trial having progressed in the learned trial Court with the evidence of the prosecution witnesses having closed, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

8. Learned trial Court is directed to expedite the trial.

(Partha Sarthy, J)

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