

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.89561 of 2024

Arising Out of PS. Case No.-41 Year-2023 Thana- PURAINI District- Madhepura

Vikash Kumar S/o Late Kapil Dev Poddar Resident of Village- Puraini @
Purani, P.S.-Puraini, District-Madhepura

... .. Petitioner/s

Versus

1. The State of Bihar Patna
2. Sanjay Sahni, S/o- Shivam Sahni Resident of Village - Puraini, Ward No. - 9, P.S. - Puraini, District - Madhepura.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Bambahadur Jha, Advocate

For the Opposite Party/s : Mr. Nawal Kishore Prasad, A.P.P.

CORAM: HONOURABLE MR. JUSTICE SOURENDRA PANDEY
ORAL ORDER

5 26-06-2025 Heard the learned counsel for the petitioner and the
learned Additional Public Prosecutor for the State.

2. The petitioner seeks regular bail in connection with
Puraini P.S. Case No. 41 of 2023, registered for the offences
punishable under Sections 376 and 34 of the Indian Penal Code
and Section 4 of the POCSO Act.

3. As per the prosecution case, the allegation against
the petitioner is that he had committed rape of the minor
daughter of the informant along with two other named accused
persons and they were also apprehended.

4. The learned counsel for the petitioner submits that
the petitioner has falsely been implicated in this case and no



such incident as stated has occurred. It has further been submitted that from perusal of the medical report, it would be evident that no recent sign of sexual assault was found at the time of examination. The learned counsel next submits that there is no eye-witness to the occurrence and only on the statement of the victim who had subsequently committed suicide, the petitioner has been implicated. The learned counsel lastly submits that the evidences during the trial is over and the trial is pending for final disposal and the petitioner has clean antecedent and he is in custody since 22.02.2023.

5. The learned Additional Public Prosecutor for the State has vehemently opposed the prayer for bail and has stated that there is specific allegation against the petitioner who had committed rape upon the minor girl and hence he does not deserve the liberty of bail.

6. Considering the aforesaid submission made by the parties and the nature of allegation and also the fact that the trial is at a fag end, I am not inclined to grant the petitioner privilege of bail.

7. Accordingly, the prayer for bail is rejected.

8. The learned Trial Court is directed to expedite and conclude the trial within a period of two months.



9. The petitioner shall be at liberty to move this Court
after three months if the trial is not concluded.

(Sourendra Pandey, J)

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