

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.4823 of 2025

Arising Out of PS. Case No.-796 Year-2023 Thana- BHAGALPUR KOTWALI District-
Bhagalpur

Utkarsh Raj @ Rider @ Utkarsh Kumar S/O Neeraj Singh @ Neeraj Bihari @
Niraj Nishi Resident of Kasba Gola Ghat Road, Naya Bazar, Near Hindustan
Club, P.S- Tatarpur, Distt.- Bhagalpur.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Rani Kumari D/O Rajesh Kumar Singh R/O Village- Kamal Nagar Coloney,
Mirjanhat, P.S- Babarganj, Distt.- Bhagalpur.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Praveen Kumar, Advocate
For the Opposite Party/s : Mrs. Sharda Kumari, APP

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

ORAL ORDER

3 25-04-2025 Heard learned counsel for the petitioner and
learned APP for the State.

2. Earlier the regular bail of the petitioner was
rejected by a Co-ordinate Bench of this Court vide order dated
14.05.2024 passed in Cr. Misc. No. 83379 of 2023 (Annexure-
P1). The present is the second application for regular bail filed
on behalf of the petitioner.

3. The petitioner seeks bail in connection with
Kotwali (Jogsar) P.S. Case No. 796 of 2023, instituted for the



offences punishable under Sections 376(D), 120(BO)/34 of the Indian Penal Code and Section 4/6 of the POCSO Act.

4. A report from the learned Court below was called for and on perusal of the report dated 07.03.2025 sent by learned Court below, it transpires that out of six charge-sheeted witnesses including Doctor and investigation officer, four witnesses have been examined and rest witnesses including investigating officer are yet to be examined on behalf of prosecution.

5. After hearing learned counsel for the petitioner, this Court does not find any fresh ground to revisit the matter which is already decided by a Co-ordinate Bench of this Court on merit. This Court would further take note of the fact that the petitioner is in custody since 27.09.2023. Accordingly, taking into account the aforesaid facts and circumstances of the case and specifically keeping in view the report of the trial Court, this Court at this stage is not inclined to grant bail to the petitioner.

6. The prayer is rejected. The trial Court is directed to expedite the Trial and conclude the same preferably within a period of three months. However, if the trial is not concluded within a period of three months from the date of



receipt/production, the petitioner will have liberty to renew his
prayer for bail in the Court below.

(Rudra Prakash Mishra, J)

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