

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.556 of 2025

Arising Out of PS. Case No.-468 Year-2024 Thana- PHULWARISHARIF District- Patna

Md. Raju S/O Mo. Kudus Sha R/O village- Ishapur Purani Masjid, P.S.-
Phulwarisharif, District- Patna

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. Md. Sonu S/O Late Md. Ekaram R/O village- Ishapur, P.S.- Phulwarisharif,
District- Patna

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Manoj Kumar Singh, Advocate
For the Opposite Party/s : Mr. Dr. Mrityunjaya Kr. Gautam, APP

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

ORAL ORDER

3 27-03-2025 Heard learned counsel for the petitioner and learned APP
for the State. Perused the case diary.

2. The petitioner seeks bail in connection with
Phulwarisharif P.S. Case No. 468 of 2024 instituted for the
offence under Sections 376(A) & (B) of the Indian Penal Code
and Sections 4 & 6 of the POCSO Act.

3. Prosecution case in short is that petitioner lured
daughter of the informant, aged about 6 years, and committed
indecent act and showed her dirty film from his mobile phone.

4. It has been submitted on behalf of the petitioner
that the petitioner is in custody since 25-03-2024. 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 two days in lodging the FIR. It is further submitted that all the manner and genesis of the alleged occurrence are totally wrong, false and baseless and are not maintainable in the eye of law. Nothing has been recovered from the possession of the petitioner. Charge in this case has also been framed u/S 376-AB of the IPC and Section 6 of the POCSO Act against the petitioner.

6. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner. Victim in her statement recorded under Section 164 of the Cr.P.C., has supported the prosecution case. There is direct and specific allegation against the petitioner. It is submitted that trial has commenced and one witness has been examined.

7. Considering the aforesaid facts and circumstances of the case, specifically taking into account the fact that there being horrific abominable act committed by the petitioner which is corroborated by the statement of the victim recorded u/S 164 of the Cr.P.C. and the fact that trial has commenced, this Court, at this stage, is not inclined to grant bail to the petitioner. Prayer



for grant of bail to the petitioner 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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