

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.11231 of 2026

Arising Out of PS. Case No.-188 Year-2021 Thana- FATEHPUR District- Gaya

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Munarik Turiya @ Mundrik Turiya Son of Arjun Turiya Resident of Village-
Harkuhra, P.S.- Fatehpur, District- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar
2. Mina Devi Wife of Bindeshwar Turiya Resident of Village- Harkuhra, P.S.-
Fatehpur, District- Gaya

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Sharma, Adv.
For the Opposite Party/s : Mr. Vinod Shanker Modi, APP

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CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 01-05-2026 Heard Mr. Sanjay Kumar Sharma, learned counsel

for the petitioner, Mr. Pankaj Kumar, learned counsel for the

informant and Mr. Vinod Shanker Modi, learned APP for the

State.

2. The petitioner seeks bail, who is in custody since
08.04.2023 in connection with Fatehpur P.S. Case No. 188 of
2021, F.I.R. dated 09.06.2021 registered for the offence under
Sections 376(A B) and 376(D) of IPC and Section 6 of the
POCSO Act.

3. The prosecution case, in brief, is that on
21.05.2021, the informant's daughter was allegedly taken by the
accused persons while she went outside at night, and they



attempted to rape her. She was later found the next morning at a house, where she reported body pain and stated that the accused had threatened her not to disclose the incident.

4. Learned counsel for the petitioner submits that earlier the bail application of the petitioner was rejected by this Court vide order dated 20.09.2023 passed in Cr. Misc. No. 50733 of 2023. Thereafter, the petitioner has again moved before this Hon'ble Court for grant of regular bail in Cr. Misc. No. 48338 of 2024 but the same was dismissed vide order dated 18.10.2024. Learned counsel for the petitioner submits that the petitioner is in custody since 08.04.2023 and the trial is not in progress.

5. Learned APP for the State, on the other hand, has vehemently opposed the prayer for bail of the petitioner and submits that statement of the victim was recorded under Section 164 of Cr.P.C./183 of the BNSS in which she has categorically stated that the petitioner along with other accused persons have committed rape upon her. He further submits that date of birth of the victim is recorded as 20.09.2019 in paragraph 55 of the case diary which suggests that the victim was minor at the time of occurrence. The medical report also supports the allegation as alleged in the FIR.



6. Vide order dated 18.03.2026, a report was called for with regard to the stage of the trial. Report dated 20.04.2026 of the learned trial court reveals that the trial is going on and out of six prosecution witnesses, two witnesses have already been examined.

6. Considering the nature of allegation, the FIR supported by the victim, medical evidence as well as report of the trial court, I am not inclined to enlarge the petitioner on bail in connection with Fatehpur P.S. Case No. 188 of 2021 pending in the court of learned Addl. Sessions Judge-VI-cum-Special Judge of POCSO Act, Gaya.

7. Prayer is refused.

8. However, the learned trial court is directed to expedite the trial and conclude the same at the earliest.

(Rajesh Kumar Verma, J)

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