

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.9487 of 2026

Arising Out of PS. Case No.-294 Year-2025 Thana- RAJGIR District- Nalanda

Neeraj Kumar S/o Dharmendra Kumar Resident of Giriyak Road, Rajgir,
Police Station- Rajgir, Distt.- Nalanda

... .. Petitioner/s

Versus

1. The State of Bihar
2. X D/o X R/o vill - Satakpur, P.S.- Bind, Distt.- Nalanda, Presently R/o
Backside of Kailash Ashram, P.S.- Rajgir, Distt.- Nalanda, Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sameer Sawarn, Advocate

For the Opposite Party/s : Mr. Sanjay Kumar Pandey, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

6 17-06-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in connection with Rajgir P.S. Case No. 294 of 2025 instituted for the offence under Sections 70(2) of the BNS and Section 04/06 of the POCSO Act.

3. The case of the prosecution is that the petitioner along with others has committed rape with a minor girl.

4. In this case, the stage of trial was also called for from the learned trial court. From perusal of the learned trial court, it is clear that out of 6 witnesses, 4 witnesses have been examined.



5. Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. A statement has been made in para-3 of this petition that the petitioner has got no criminal antecedent and is languishing in judicial custody since 31.05.2025.

6. Learned APP for the State has vehemently opposed the prayer of bail of the petitioner.

7. It is further submitted that on being specifically asked, it was stated that the victim has already been examined in this case and has not supported the petitioner.

8. Learned counsel has further relied upon paragraph '14' of the judgment of the Honble Apex Court in the case of **X v. State of Rajasthan** which is being given hereunder:-

14. Ordinarily in serious offences like rape, murder, dacoity, etc., once the trial commences and the prosecution starts examining its witnesses, the Court be it the Trial Court or the High Court should be loath in entertaining the bail application of the accused.

9. Having heard the learned counsel for the parties and considering the facts and circumstances of this case as stated above, this court is not inclined to enlarge the petitioner on bail at this stage and, as such, his prayer for bail stands rejected.

10. However, the petitioner will be at liberty to renew



his prayer for bail after three months if the trial is not concluded. The learned trial court is directed to expedite the trail and conclude the same within the said period.

(Ashok Kumar Pandey, J)

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