

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19067 of 2026

Arising Out of PS. Case No.-736 Year-2023 Thana- BELAGANJ District- Gaya

Niranjan Kumar @ Vicky, S/o- Mahesh Mistri, Resident of Village- Naugadh
Samastipur, P.S.- Belaganj, District- Gaya

... .. Petitioner/s

Versus

1. The State of Bihar

2. X D/o- Y R/v- Pluhar, PO- Jalalpur, PS- Tekari, Dist- Gaya

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ujjawal Kumar Singh, Advocate

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

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

3 17-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in connection with Belaganj P.S. Case No. 736 of 2023 registered for the offence punishable under Sections 376 of the I.P.C., Sections 4/6 of POCSO Act and Section 3(2)(v) of SC/ST Act.

3. Learned counsel for the petitioner has submitted that earlier the bail petition of this petitioner was rejected by this Court vide order dated 16.01.2025 passed in Cr. Misc. No. 51423 of 2024. Petitioner has got no criminal antecedent and he is languishing in judicial custody since 17.11.2024. It has further been submitted that during course of investigation, the victim has been examined and she has supported the version of defence.

4. The case of the prosecution, in short, is that the



petitioner has committed rape with a minor girl and during course of investigation, the victim has supported the case in her statement recorded under Section 164 of the Cr.P.C. and the same was also supported by medical examination.

5. A report regarding stage of trial was also called for from the learned trial Court. According of which, altogether two witnesses have been examined out of six prosecution witnesses.

6. Learned APP appearing for the state has vehemently opposed the prayer of regular bail.

7. Having heard the learned counsel for the parties and considering the fact that there is no fresh ground for considering the bail of this petitioner as from the deposition of the victim, it is clear that she has supported the case of the prosecution, this court is not inclined to enlarge the petitioner on bail at this stage and, as such, his prayer for bail stands again rejected.

8. However, petitioner may renew his prayer for bail after six months.

9. Learned trial Court is directed to conclude the trial in view of Section 35 of the POCSO Act.

(Ashok Kumar Pandey, J)

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