

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.26146 of 2026

Arising Out of PS. Case No.-490 Year-2023 Thana- KHAIRA District- Saran

Ram Lakhan Singh Son of Bhagirath Singh R/o Village - Korea, P.S. - Khaira,
District – Saran.

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. XXX W/o YYY R/o Village - Korea, P.S. - Khaira, District - Saran.

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs. Chetna, Advocate

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP

CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 21-04-2026 Heard learned counsel for the parties.

2. The petitioner seeks regular bail in connection with Khaira P.S. Case No. 490 of 2023, registered under Sections 376DA of Indian Penal Code, section 67 of the I.T. Act and section 4 and 6 of the POCSO Act.

3. Earlier, the prayer for bail of the petitioner was rejected by a coordinate Bench of this Court vide order dated 22.08.2024 passed in Cr. Misc. No. 47203 of 2024 which reads as under:-

“Heard learned counsel for the petitioner and learned A.P.P for the State.

2. The petitioner has preferred this application for grant of regular bail in connection with Khaira P.S. Case No. 490 of 2023 dated 24.12.2023 registered



for the offence/s punishable u/s 376 DA of the Indian Penal Code, sections 4 and 6 of the POCSO Act and section 67 of the I.T. Act.

3. As per the prosecution case, the co-accused persons are alleged to have committed rape on the informant's grand- daughter and made a video of it and threatened to make the same viral.

4. Learned counsel for the petitioner has submitted that the petitioner is innocent and has falsely been implicated in this case. The petitioner is not named in the F.I.R. There was love affair between the victim and one co-accused Mithilesh Kumar. The bail of the similar situated co-accused, namely, Rajan Kumar has already been rejected by this court vide order dated 01.05.2024 passed in Cr. Misc. No. 31343 of 2024. The petitioner has one antecedent as stated in para 3 of the bail petition. The petitioner is in custody since 29.12.2023.

5. Learned A.P.P. for the State has vehemently opposed the bail petition of the petitioner and submitted that the victim has disclosed the name of the petitioner in her statement recorded u/s 161 and 164 of the Cr. P.C. It is further submitted that the medical board assessed



the age of the victim as 18 years. It is further submitted that the medical board reveals that there is strong evidence of intercourse with the victim within five to seven days.

6. Considering the aforesaid facts and circumstances of the case as well as the heinous nature of allegation against the petitioner, I am not inclined to enlarge the petitioner on bail.

7. Learned Trial Court is directed to expedite the trial and conclude the same preferably at the earliest.

8. The application stands rejected.”

4. Learned counsel for the petitioner submits that the charges have been framed on 10.09.2025 but none of the seven prosecution witnesses have been examined in the court below till 26.02.2026.

5. Learned A.P.P. for the State has opposed the prayer for bail.

6. Considering the gravity of the offence, I am not inclined to grant bail to the petitioner, this application is dismissed.

7. The Superintendent of Police, Saran is directed to ensure the attendance of the witnesses in the trial and the



learned Special Judge, POCSO, Saran, Chapra is directed to expedite the trial at the earliest.

8. Let a copy of this order be sent to the Superintendent of Police, Saran at Chapra through FAX for its forthwith compliance.

9. It is made clear that any observation made herein is prima facie in nature and limited solely for the purpose of adjudication of the present bail application. Such observations shall not be construed as an expression on the merits of the case and shall not influence the trial or any other proceedings in any manner.

(Sandeep Kumar, J)

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