

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.32422 of 2026

Arising Out of PS. Case No.-591 Year-2025 Thana- VAISHALI District- Vaishali

Nitesh Kumar S/O Hiralal Sahani R/O Village and P.O.- Chakmaruf, P.S.- Belsar, District- Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Ranjay Sahani S/O Ram Swarup Sahani R/O Village and P.O.- Chakmaruf, P.S.- Belsar, Distt.- Vaishali.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Satya Prakash Sinha, Advocate
For the State	:	Mrs.Nirmala Kumari, APP
For teh Informant/O.P. No.2:		Mr. Ashok Kumar, Advocate
		Mrs. Shweta Anand, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

3 23-07-2026 Heard learned counsel for the petitioner and learned

APP for the State as well as learned counsel appearing on behalf

of the informant/opposite party no. 2.

02. In the present case, the petitioner seeks bail in connection with Vaishali P.S. Case No. 591 of 2025 registered for the alleged offences under Sections 137(2), 109(1), 64(1) of BNS and Sections 4/6 of POCSO Act.

03. As per prosecution case, in the night of 12.08.2025, the wife of the informant did not find her 10 years old daughter on the bed and after search near a wetland, the daughter of the informant was found in naked condition and



there has been profused bleeding from her genital. The daughter of the informant disclosed about a boy who lifted her and raped her. The name of the petitioner transpired during investigation as the accused person who committed rape with the minor daughter of the informant.

04. Learned counsel for the petitioner submits that the petitioner is innocent and has been falsely implicated in this case. The petitioner is not named in the FIR and his name came up in the statement of the grandmother of the victim. Prior to that the victim girl took the name of one Santosh for being involved in the statement recorded under Section 180 BNSS. Learned counsel further submits that the charge sheet has been submitted. The petitioner is in custody since 17.08.2025 and he is having clean antecedent.

05. Learned APP as well as learned counsel appearing on behalf of the informant/opposite party no. 2 vehemently oppose the submission made on behalf of the petitioner. Learned counsel for the informant submits that the petitioner threatened the victim and told him to take the name of one Santosh and due to fear, she did not take the name of the petitioner earlier. Subsequently, when the statement of the victim girl was recorded, she named the petitioner. Learned counsel for the



informant further submits that altogether five prosecution witnesses have been examined and only official witnesses, namely I.O and doctor are yet to be examined. The medical report completely supports the allegation of rape.

06. Having regard to the specific nature of allegation against the petitioner which is very serious and heinous, I am not inclined to enlarge the petitioner on bail and hence, his prayer for bail is rejected.

07. Since the trial is at fag end, the learned trial court is directed to expedite the trial and conclude the same at the earliest.

(Arun Kumar Jha, J)

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