

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.34941 of 2025

Arising Out of PS. Case No.-57 Year-2025 Thana- KAHALGAON District- Bhagalpur

Md. Chunna @ Chunna S/o Md. Jallo Resident of Village- Purab Tola,
Kahalgaon, PS- Kahalgaon, Distt.- Bhagalpur

... .. Petitioner/s

Versus

1. The State of Bihar
2. Jyoti Devi W/o Jay Kumar Sah Resident of Jangal Gopali, Kahalgaon, PO-
Lakshmipur Babhanian, PS- Kahalgaon, Distt.- Bhagalpur

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Rajesh Ranjan, Advocate Mr. Ravi Prakash Dwivedi, Advocate Mr. Saurabh Raj, Advocate
For the Opposite Party/s	:	Mr. Binod Kumar, APP
For the Informant	:	None

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

6 02-02-2026 Heard learned counsel for the petitioner, learned

APP for the State and perused the case diary. Despite valid

service of notice, none appeared on behalf of the informant.

2. The petitioner seeks bail in connection with

Kahalgaon P.S. Case No. 57 of 2025, instituted for the offences

punishable under Sections 127(2), 64, 70(1), 70(2) of the

Bharatiya Nyaya Sanhita, 2023, read with Sections 4 and 6 of

POCSO Act.

3. The prosecution case, in short, is that the petitioner

along with other co-accused persons have committed rape upon

minor daughter of the informant.



4. Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in the present case. Charge-sheet has been submitted in this case. Learned counsel for the petitioner also submitted that no specific allegation has been attributed against the petitioner rather the same is general and omnibus in nature. It is further submitted that the petitioner has been arrested only on the basis of suspicion. Neither any T.I. parade nor any medical examination of the petitioner has been conducted. The petitioner is in custody since 19.02.2025 and has got no criminal antecedent.

5. Learned APP for the State has vehemently opposed the prayer for grant of bail to the petitioner and submitted that there is specific allegation of committing rape against the petitioner and other co-accused persons. It is further submitted that the victim has also supported the prosecution case in her statement recorded under Sections 180 and 183 of the Bharatiya Nagarik Suraksha Sanhita, 2023. Hence, the petitioner does not deserve the privilege of bail.

6. Considering the aforesaid facts and circumstances of the case, nature of accusation and the gravity of the offence, this Court is not inclined to grant bail to the petitioner.



7. The prayer is rejected. The trial Court is directed to expedite the Trial.

(Rudra Prakash Mishra, J)

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