

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.62725 of 2025

Arising Out of PS. Case No.-101 Year-2023 Thana- KATEYA District- Gopalganj

Ibrahim Shaikh @ Ibrahim Shekh S/o Majid Shaikh Resident of Village-
Bairiya Tola, Hussainpur, PS- Kateya, Distt.- Gopalganj... .. Petitioner/s
Versus

1. The State of Bihar
2. Dharmavati Devi W/o Umesh Yadav R/o vill - Bairiya Tola, Hussainpur,
P.S.- Kateya, Distt.- Gopalganj Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Adesh Raj Singh, Advocate
For the Opposite Party/s : Mr.Akshay Lal Pandit, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

6 13-02-2026 Heard Mr.Adesh Raj Singh, learned counsel for the
petitioner, learned counsel for the informant and Mr.Akshay Lal
Pandit, learned Additional Public Prosecutor for the State.

2. The petitioner seeks bail, who is in custody since
06.03.2023 in connection with Kateya P.S. Case No. 101 of
2023, POCSO Case No.27 of 2023, F.I.R. dated 05.03.2023
registered for the offence punishable under Sections
376(3),313,342,506 of IPC and Sections 4 and 6 of the POCSO
Act.

3. Earlier the prayer for bail of the petitioner was
rejected by this Court vide order dated 04.09.2023 passed in
Cr.Misc.No.55639 of 2023.

4. Vide order dated 07.11.2025, a report was called for
with regard to the present stage of the trial. Report of the



learned Trial Court dated 14.11.2025 reveals that out of nine chargesheet witnesses, six chargesheet witnesses have been examined and the case is pending for examination of rest of the independent witnesses.

5. Learned counsel appearing for the petitioner submits that the petitioner has clean antecedent and he is in custody since 06.03.2023 almost three years and in view of the report of the learned Trial Court that there is no chance of early conclusion of the trial in near future.

6. Learned counsel for the informant and learned A.P.P. for the State, on the other hand, have vehemently opposed the prayer for bail of the petitioner and submits that there is direct and specific allegation of committing rape upon the victim against the petitioner and apart from that, the victim has supported the case of the prosecution and the medical report of the victim suggests that at the time of examination the victim was pregnant.

7. Considering the aforesaid facts, report of the learned Trial Court as well as the period of custody, let the petitioner, above named, be released on bail on furnishing bail bond of Rs.10,000/- (Ten Thousand) with two sureties of the like amount each to the satisfaction of learned A.D.J.-VI-cum-



Special Judge, POCSO, Gopalganj in connection with Kateya
P.S. Case No. 101 of 2023, POCSO Case No.27 of 2023, with
the following conditions:-

(I) Petitioner shall co-operate in the trial and shall be properly represented on each and every date fixed by the Court and shall remain physically present as directed by the Court and on his/her absence on two consecutive dates without sufficient reason, his/her bail bond shall be cancelled by the Court below.

(II) If the petitioner tampers with the evidence or the witnesses, in that case, the prosecution will be at liberty to move for cancellation of bail.

(III) And, further condition that the court below shall verify the criminal antecedent of the petitioner and in case at any stage, it is found that the petitioner has concealed his criminal antecedent, the court below shall take step for cancellation of bail bond of the petitioner. However, the acceptance of bail bonds in terms of the above-mentioned order shall not be delayed for purpose of or in the name of verification.

(Rajesh Kumar Verma, J)

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