

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.68006 of 2025

Arising Out of PS. Case No.-42 Year-2023 Thana- MAHILA P.S. District- Vaishali

Himanshu Kumar @ Chootu, Son of Tapeswar Sahni, Resident of Village - Dharhara, Paura Madan Singh, Police Station - Sarai in the District of Vaishali.

... .. Petitioner/s

Versus

1. The State of Bihar
2. Kalawati Devi Wife of Lal Bihari Sahni Resident of Village - Dharhara, Police Station - Sarai in the District of Vaishali.

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr.Ranjeet Kumar, Advocate
For the Opposite Party/s	:	Mrs.Gulnar Begum, APP
	:	Mr. Rajeev Ranjan No. II, Advocate

CORAM: HONOURABLE MR. JUSTICE ARUN KUMAR JHA
ORAL ORDER

5 06-02-2026 Heard learned counsel for the petitioner, learned APP for the State and learned counsel for the opposite party no.2

2. In the present case, the petitioner seeks bail in connection with Hajipur Mahila P.S. Case No. 42 of 2023, registered for the alleged offences under Section 376 of the Indian Penal Code and Section 4 of POCSO Act.

3. As per the prosecution case, the informant allowed the petitioner to stay in her house in night as the informant and her husband stayed outside in Hyderabad and the petitioner committed rape with the minor daughter of the informant.

4. The learned counsel for the petitioner submits that



this is the third attempt of the petitioner to seek bail from this Court. Earlier, the prayers for anticipatory bail as well as regular bail of the petitioner were rejected vide orders dated 04.04.2024 & 04.10.2024 passed in Cr. Misc. Nos. 21137 of 2024 & 66412 of 2024, respectively. The learned counsel further submits that the petitioner is in custody since 01.06.2024, but the trial has not been concluded till date. The learned counsel further submits that there is no likelihood of early conclusion of trial.

5. The learned APP as well as learned counsel for the opposite party no.2 vehemently oppose the submission made on behalf of the petitioner. The learned counsel for the opposite party no.2 submits that there is specific allegation against the petitioner for committing rape with the daughter of the informant.

6. A report dated 31.01.2026 has been received from the learned trial court about the present stage of trial wherein it has been submitted that all the prosecution witnesses have been examined in this case except for medical officer and the learned trial court has further submitted that the trial was likely to be concluded within two months.

7. At this stage, the learned counsel for opposite party no. 2 submits that all the prosecution witnesses have been



examined.

8. Having regard to the facts and circumstances and submission made on behalf of the parties, I do not find any new ground to reconsider the prayer for bail of the petitioner. Hence, his prayer for grant of bail is rejected.

9. However, the learned trial court is directed to abide by its undertaking and dispose of the matter at the earliest.

(Arun Kumar Jha, J)

V.K.Pandey/-

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