

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.78151 of 2025

Arising Out of PS. Case No.-114 Year-2025 Thana- BEN P.S. District- Nalanda

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Suman Kumar @ Suman Sao @ Suman Saw S/o Subodh Saw R/o village -
Nosha, P.S - Ben, District – Nalanda, Bihar

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXX D/o Sanjay Chaudhary R/o village - Nosha, P.S - Ben, District -
Nalanda, Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Rishav Dev, Advocate

For the Opposite Party/s : Mr. Rabindra Kumar, APP

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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

3 11-02-2026

1. Heard learned counsel for the parties.

2. The petitioner has preferred this application for grant of regular bail in connection with Ben P.S. Case no.114 of 2025 registered under sections 329(4) and 74 of the Bharatiya Nyaya Sanhita, 2023 and sections 8 and 12 of the POCSO Act.

3. As per the prosecution case, the informant states that on waking up in the night, she found the petitioner sleeping by her side. On the informant raising *hulla*, it is stated that the petitioner escaped.

4. Learned counsel for the petitioner submits that the petitioner has been falsely implicated in the case. In spite of the police station being only at a distance of 6 k.m., there is an unexplained delay of two days in lodging of the FIR. The material that has transpired in course of investigation does not



support the prosecution case. The petitioner is in custody since 2.9.2025 and has no criminal antecedent. Chargesheet has been submitted in the case.

5. The application for bail is opposed by learned A.P.P. for the State and learned counsel for the informant. Learned counsel for the informant submits that the victim has supported the prosecution case in her statement under section 183 B.N.S.S. It is further submitted that charge has been framed in the learned trial Court and the trial has proceeded.

6. Having heard learned counsel for the parties and taking into consideration the allegations in the FIR, the contents of the statement of the victim under section 183 B.N.S.S. and charge having been framed in the learned trial Court, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

7. Learned trial Court is directed to expedite the trial and to conclude the same within a period of six months from the date of receipt/production of a copy of this order.

(Partha Sarthy, J)

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