

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.76592 of 2025

Arising Out of PS. Case No.-62 Year-2025 Thana- MAHILA P.S. District- Siwan

Santosh @ Shiv Prasad Rai @ Shiv Prasad Roy Son of Gaaneshi Ray @
Ganesh Roy Resident of Village -Mashipur Kanhauli P.S. -Bishunpur, Dist-
Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. XXX wife of YY Resident of Village -Saraya P.S.- Guthani, Dist- Siwan

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Ajay Kumar Pandey, Advocate
For the Opposite Party/s : Mr. Binod Kumar, APP

CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

4 19-01-2026 Heard Mr. Ajay Kumar Pandey, learned counsel for
the petitioner and Mr. Binod Kumar, learned APP for the State.

2. The petitioner has prayed for bail in connection
with Siwan Mahila P.S. Case No. 62 of 2025 registered for the
offence punishable under Sections 115(2), 126(2), 76, 3(5) of
the B.N.S., 2023 and Sections 8/17 of the POCSO Act.

3. The case of the prosecution in short is that the
minor niece of the informant, aged about eight years, has gone
to pick mangoes. It is alleged that the petitioner has touched her
indecently on her private part after disrobing her. During the
course of the investigation, the victim has given her statement
recorded under Section 183 of the BNSS, wherein she has stated



that the petitioner has touched her private parts.

4. Learned counsel appearing on behalf of the petitioner has submitted that petitioner is innocent and has committed no offence. He has been falsely implicated in this case. Learned counsel for the petitioner submits that in medical examination, nothing has come. He also submits that a statement has been made in para 3 of the petition that petitioner has no criminal antecedent and he is languishing in judicial custody since 31.07.2025.

5. The application for bail is opposed by the learned counsel for the informant and the learned APP for the State. Learned counsel for the informant submits that the victim is aged about eight years and she has supported the case of the prosecution in her statement recorded under Section 183 of the BNSS.

6. Having heard learned counsel for the parties and considering the facts and circumstances of the case, and the age of the victim and the kind of allegation against the petitioner, this Court is not inclined to enlarge the petitioner on bail, however, the petitioner will be at liberty to renew his prayer for bail after six months if the trial is not concluded.

7. Learned trial court is directed to expedite the trial



so as to conclude the same within the said period.

8. Accordingly, the bail petition of the petitioner stands rejected.

(Ashok Kumar Pandey, J)

Sudhanshu/-

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