

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88851 of 2025

Arising Out of PS. Case No.-16 Year-2024 Thana- FATEHPUR District- Gaya

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Gaurav Kumar @ Gora Singh S/O Sanjay Singh Resident of Village- Ekmba,
P.S- Fatehpur, Distt.- Gaya, Bihar.

... .. Petitioner/s

Versus

- 1. The State of Bihar
- 2. XXX S/O YYY R/O Village- Ekmba, P.S- Fatehpur, Distt.- Gaya, Bihar.

... .. Opposite Party/s

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Appearance :

For the Petitioner/s	:	Mr.Nazia Shabah, Advocate
For the State	:	Mr. Sanjay Kr. Pandey, A.P.P.

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CORAM: HONOURABLE MR. JUSTICE ASHOK KUMAR PANDEY
ORAL ORDER

6 06-05-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. The petitioner has prayed for regular bail in connection with Fatehpur P.S. Case No. 16 of 2024 instituted for the offence under Sections 354 A of the I.P.C. and Sections 3 (1) (r), 3 (1) (s), 3 (2) va of SC/ST Act and Sections 8 and 12 of POCSO Act.

3. The case of the prosecution, in short, is that the petitioner has committed rape with the minor daughter of the informant.

4. Learned counsel for the petitioner submits that the petitioner is innocent and committed no offence. Learned counsel for the petitioner has submitted that a report regarding stage of trial was called and it is apparent that altogether five witnesses have been examined all have turned hostile but from the report it also transpires



that no family members of the victim has still been examined.

5. Learned APP appearing for the State has vehemently opposed the prayer of regular bail and has submitted that from perusal of the statement of the victim under Section 164 of Cr.P.C., it is clear that she has categorically stated that the petitioner has committed rape with her and from perusal of the medical examination report also, it is clear that the victim was subjected to forcefull sexual intercourse.

6. Having heard the learned counsel for the parties and considering the facts and circumstances of this case as stated above, this court is not inclined to enlarge the petitioner on bail at this stage and, as such, his prayer for bail stands rejected.

7. However, the petitioner will be at liberty to renew his prayer for bail after six months or after the examination of the victim if she does not support the case of the prosecution, whichever is earlier.

8. Learned trial court is directed to conclude the trial within the time frame prescribed under Section 35 of the POCSO Act.

(Ashok Kumar Pandey, J)

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