

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.88709 of 2025

Arising Out of PS. Case No.-399 Year-2024 Thana- RAJGIR District- Nalanda

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Jitendra Kumar Son of Late Rajkumar Prasad Resident of Village - Kewali,
P.S. - Karande, District - Sheikhpura (Bihar), At Presently resident of Nearby
Jasidih Railway Station ,Birla cement roofing factory, P.S. - Jasidih, District -
Deoghar(Jharkhand).

... .. Petitioner/s

Versus

1. The State of Bihar Bihar
2. X Son of Y Resident of Village-Belauwa, P.S.- Rajgir, Distt.- Nalanda

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Rajeev Kumar Saxena
For the Opposite Party/s : Mr.Anil Kumar Singh No. 1

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

4 16-04-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. This is the second attempt of the petitioner for
grant of regular bail in connection with POCSO Case No. 144 of
2024 arising out of Rajgir P.S. Case No. 399 of 2024 registered
for the offence under Sections 376, 511, 379 of the Indian Penal
Code and under Sections 4/6 of the POCSO Act.

3. As per the prosecution case, the petitioner is
accused of committed rape with a child.

4. Learned counsel for the petitioner has submitted
that the trial is being delayed as only six witnesses have been
examined out of 18 witnesses and the petitioner is in custody



since 8.12.2024.

5. From the perusal for the impugned order, it appears that the victim has supported the prosecution case.

6. Considering the aforesaid facts, this Court is not inclined to grant bail to the petitioner.

7. Accordingly, this application is dismissed. If the trial is delayed because of the fault of the prosecution side then the petitioner may renew his prayer for bail.

8. It is, however, clarified that the observations made herein are limited to the adjudication of the present bail application and shall not prejudice the case of the petitioner at any subsequent stage of the trial and this Court has not expressed any opinion on the merits of the case.

(Sandeep Kumar, J)

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