

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.406 of 2026

Arising Out of PS. Case No.-12 Year-2024 Thana- MAHILA P.S. District- Araria

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Deepak Sharma @ Deepak Kumar Sharma Son of Umesh Sharma Resident of
Village -Basaithi, Baseti, Ward No. 03, PS -Bausi, District -Araria

... .. Petitioner/s

Versus

1. The State of Bihar
2. XX Daughter of YY Resident of village- Harpur, Ward no. 5, Ps- Bausi,
Dist- Araria

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Ravi Shanker Pankaj, Advocate
For the State : Mr.Sanjay Kumar Tiwary, APP

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CORAM: HONOURABLE MR. JUSTICE SANDEEP KUMAR
ORAL ORDER

2 12-02-2026 Heard learned counsel for the petitioner and learned
APP for the State.

2. This is the second attempt on behalf of the
petitioner for grant of bail in connection with Spl. (POCSO)
Case No. 38 of 2024 arising out of Mahila P.S. Case No. 12 of
2024 registered for the offence punishable under Sections 341,
323, 376(D), 506, 376AB of the Indian Penal Code and Section
6 of the POCSO Act.

3. Earlier the bail application of the petitioner has
been rejected vide order dated 20.11.2024 passed in Cr. Misc.



No. 60084 of 2024, which reads as under:

“Heard learned counsel for the petitioner and learned APP for the State.

2. The petitioner seeks bail in connection with Spl (POCSO) Case No. 38 of 2024 arising out of Mahila P.S. Case No. 12 of 2024 registered for the offence punishable under Sections 341, 323, 376(D), 506, 376AB of the Indian Penal Code and Section 6 of the POCSO Act.

3. As per the prosecution case, the allegation against the petitioner alongwith other accused persons is of committing the rape.

4. Learned counsel for the petitioner submits that the petitioner is innocent and has committed no offence.

5. Learned APP appearing for the State and learned counsel for the informant opposed the prayer for regular bail of the petitioner.

6. The informant is the victim herself. She has said in the FIR that gang rape was committed by the accused persons including the petitioner. The petitioner is in jail since 14.03.2024.

7. Considering the aforesaid facts and circumstances of the case and submissions of learned counsel for the parties, I am not inclined to grant bail to the petitioner and therefore, the present bail application is hereby rejected.

8. The trial is directed to be expedited.

9. Learned counsel for the informant, Sri Vivekanand Singh undertakes to co-operate in the trial.”

4. Learned counsel for the petitioner submits that the trial has started and most of the witnesses have been examined.

5. Considering the fact that the trial has started and no fresh ground for grant of bail is made out, I am not inclined to



review my earlier order.

6. Accordingly, the application stands dismissed.

7. The trial Court is directed to expedite the trial.

(Sandeep Kumar, J)

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