

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.476 of 2026

Arising Out of PS. Case No.-446 Year-2024 Thana- RAJAPAKAR District- Vaishali

Devnath Kumar Son of Jaleshwar Ray Resident of Village- Bhalui, P.S.-
Rajapakar, District- Vaishali

... .. Petitioner/s

Versus

1. The State of Bihar
2. X W/o Y Resident of Village- Pachai Mahesh, P.S.- Rajapakar, District-
Vaishali

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Shashi Bhushan Singh, Advocate
For the Opposite Party/s : Mr.Satyendra Prasad, A.P.P.

**CORAM: HONOURABLE MR. JUSTICE RUDRA PRAKASH
MISHRA**

ORAL ORDER

4 03-04-2026 Heard learned counsel for the petitioner and
learned APP for the State.

2. The petitioner seeks bail in connection with
Rajapakar P.S. Case No. 446 of 2024, instituted for the offence
under Sections 137, 96 and 3(5) of the Bharatiya Nyaya Sanhita,
2023 and Section 8/12 of the POCSO Act.

3. Earlier vide order dated 25.06.2025 passed in Cr.
Misc. No. 13868 of 2025, regular bail of the petitioner was
rejected by this Court considering the nature of accusation and
the gravity of the offence, with direction to the trial Court to
expedite the trial and liberty was given to petitioner to renew his
prayer for regular bail after framing of charge, after evidence of
victim before the Court below.



4. Learned counsel for the petitioner submits that the present one is the second attempt for grant of regular bail to the petitioner. It is mainly submitted that charge in this case is framed and till date only two witnesses have been examined. It has been submitted on behalf of the petitioner that the petitioner is in custody since 21.11.2024 and petitioner has no criminal antecedent. Learned counsel further submits that there is no likelihood of the trial being concluded in the near future.

5. Learned A.P.P. for the State has vehemently opposed the prayer for grant of bail to the petitioner.

6. In compliance of the order dated 09.02.2026, a report dated 17.03.2026 with regard to the present stage of trial has been received. From perusal of the aforesaid report, it appears that victim has been examined in this case. It is further reported that out of five witnesses, two prosecution witnesses have been examined. The trial is likely to be concluded in four months.

7. Considering the aforesaid facts and circumstances of the case, period of custody of the petitioner and taking into account the observation given to the petitioner, this Court is inclined to grant bail to the petitioner.

8. Let the petitioner be released on bail on



furnishing bail bonds of Rs. 15,000/- (Rupees Fifteen Thousand) with two sureties of the like amount each to the satisfaction of Court below/concerned Court in connection with Rajapakar P.S. Case No. 446 of 2024.

(Rudra Prakash Mishra, J)

manish/-

U		T	
---	--	---	--

