

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.54136 of 2016

Arising Out of PS.Case No. -69 Year- 2016 Thana -JALALGARH District- PURNIA

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1. Manish Kumar Son of Sadanand Vishwas Resident of Village - Pranpur,
P.S. Jalalgarh, District - Purnea.

.... Petitioner/s

Versus

1. The State of Bihar.

.... Opposite Party/s

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Appearance :

For the Petitioner/s : Mr. Bijendra Kumar Singh

For the Opposite Party/s : Mr. Sri Bal Mukund Prasad Sinha

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CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

2 22-12-2016 Heard learned counsel for the petitioner and learned
counsel appearing on behalf of the State.

This is an application for grant of regular bail for
offences punishable under Section 376 of the Indian Penal Code
and Section 4 of the POCSO Act.

Allegation against the petitioner is that he committed
rape on informant on assurance of marriage.

It has been submitted on behalf of the petitioner that the
informant only to put pressure on the petitioner to marry her, has
filed present frivolous case against the petitioner. Learned counsel
for the petitioner further submitted that the allegation of
committing rape on the informant is totally baseless, as they were
to get married and established physical relationship with the



consent of each other. The petitioner has been in judicial custody since 02.07.2016.

Heard learned A.P.P. also.

Having heard both sides and in view of the fact that there is direct allegation against the petitioner of committing rape on the victim on the assurance of marriage, I am not inclined to grant the petitioner, hence the prayer of regular bail is, accordingly, rejected.

However, since the petitioner has remained in custody for more than five months, learned Trial Court is directed to commit the case to the Court of sessions and expedite the matter as soon as possible.

With the observation as above, this application is, accordingly disposed of.

(Vinod Kumar Sinha, J)

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