

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.50262 of 2016

Arising Out of PS.Case No. -258 Year- 2015 Thana -MADHUBAN District-
EASTCHAMPARAN(MOTIHARI)

=====

ASHOK SINGH @ ASHOK KUMAR son of late Asharfi Singh resident of
village-Bajitpur, P.S.-Madhuban, District-East Champaran.

.... Petitioner/s

Versus

The State of Bihar

.... Opposite Party/s

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CORAM: HONOURABLE MR. JUSTICE SUDHIR SINGH
ORAL ORDER

2 21-11-2016

Heard learned counsel for the petitioner and the State.

The petitioner seeks bail in a case instituted under
Section 376 of the Indian Penal Code and Sections 4 and 6 of the
Protection of Children from Sexual Offences Act, 2012.

Allegation against petitioner is of committing rape upon
daughter of informant.

It has been submitted on behalf of petitioner that he has
got no criminal antecedent. He is in custody since 14.7.2016.
Chargesheet has been submitted against petitioner. Informant is
not an eye witness to the alleged occurrence. The medical report
also does not support the allegation made in the F.I.R.

On behalf of the State, it is submitted that petitioner is
named in the F.I.R. The victim has been examined under Section
164 of the Code of Criminal Procedure where she has made
specific allegation against petitioner for committing the alleged
offence.

Considering the aforesaid facts and circumstances, I am
not inclined to grant bail to the petitioner at this stage, same is
rejected.

The trial court (Ist Addl. Sessions Judge, East

Champaran, Motihari) is directed to take necessary steps to expedite the trial in connection with POCSO Trial no. 21 of 2016 arising out of Madhuban P. S. Case no. 258 of 2015.

(Sudhir Singh, J)

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