

IN THE HIGH COURT OF JUDICATURE AT PATNA
Criminal Miscellaneous No.42329 of 2016

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Ashok Pandit, Son of Arjun @Ajay Kumar Pandit, Resident of Village-
Dudhaniyan ,P, s. Belhar, District Banka.

.... Petitioner

Versus

The State of Bihar

.... Opposite Party

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Appearance :

For the Petitioner/s : Mr. Sanjay Kumar Jha

For the Opposite Party/s : Mr. A.P.P.

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CORAM: HONOURABLE MR. JUSTICE RAKESH KUMAR
ORAL ORDER

3 08-12-2016 Heard Sri Sanjay Kumar Jha, learned counsel for
the petitioner and learned Addl. Public Prosecutor.

The sole petitioner, who is in custody only since
15.07.2016 in Banka Mahila P.S. Case No.02 of 2014, G.R.
No.22/14 registered for the offence under Sections 366(A),
376(D), 354(A), 354(B), 341, 344, 372, 373, 323, 504/34 of the
Indian Penal Code and Sections, 4, 8 and 10 of the POCSO Act,
has prayed for grant of bail.

It was submitted by learned counsel for the
petitioner that due to family dispute, the petitioner has been
victimized. He submits that during investigation, none of the
witnesses have supported the prosecution case and, as such, it is a
fit case for grant of bail.

In this case, earlier case diary along with statement



of the victim recorded under Section 164 of the Code of Criminal Procedure was summoned, which has been received. From perusal of the statement of the victim recorded under Section 164 of the Code of Criminal Procedure, it is evident that the victim had disclosed her age 14 years and she has made categorical statement regarding kidnapping and continuously committing rape on her.

In view of fact and circumstances, I do not find any ground to extend the privilege of bail. The petition stands dismissed.

It goes without saying that since the petitioner is in custody since 15.07.2016, the court below may take appropriate steps so that the case may come to its logical end without unnecessary delay.

(Rakesh Kumar, J)

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