

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.47109 of 2019

Arising Out of PS. Case No.-738 Year-2018 Thana- LAKHISARAI District- Lakhisarai

Niranjan Singh Son of Naresh Singh Resident of Village- Saidpura, P.S.-
Surajgarha, District- Lakhisarai.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Vijay Kumar, Advocate

For the Opposite Party/s : Mr.Satyendra Narayan Singh, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

3 25-09-2019 Heard learned counsel for the petitioner and learned
APP for the State.

The petitioner who is in custody since 17.11.2018 has
filed the instant application for grant of bail in connection with
Lakhisarai P.S. Case No. 738 of 2018 (District Lakhisarai)
registered for the offence punishable under section 366A of the
Indian Penal Code and section 4 of the POCSO ACT.

As per the allegation in the FIR, the 13 years old
grand daughter of the informant is said to have been taken away
by the 41 years old petitioner. Subsequently, in her statement
under section 164 Cr.P.C, the victim girl is said to have stated
about the commission of rape by the petitioner on her.

It is submitted by learned counsel for the petitioner
that the allegations as leveled in the FIR are false and



concocted, the girl had gone with the petitioner voluntarily and that there is unexplained delay of about 29 days in lodging of the FIR.

The application for bail has been opposed by learned APP for the State.

Having heard learned counsel for the parties and taking into consideration the nature of allegations especially the statement of the victim under section 164 Cr.P.C, the Court is not inclined to enlarge the petitioner on bail. As such his application for bail is rejected. However, the court below is directed to expedite the trial.

(Partha Sarthy, J)

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