

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.46675 of 2019

Arising Out of PS. Case No.-71 Year-2019 Thana- KARJA District- Muzaffarpur

RAM NATH SAHNI Son of Bhikhari Sahni Resident of Village- Karja,
Police Station- Karja, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Mukund Mohan Jha
For the Opposite Party/s : Ms.Veena Rani Prasad

CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER

3 27-09-2019 Heard the learned counsel for the petitioner and the
learned A.P.P. for the State.

The present petition has been filed for grant of regular
bail on behalf of the petitioner in connection with Karja P.S.
Case No. 71 of 2019 registered for the offence punishable under
Sections 576 and 511 of the Indian Penal Code and Sections
8/12 of POSCO Act.

The allegation of the prosecution is regarding the
petitioner having taken the six years young daughter of the
informant in the grain field where he had undressed the child
and was trying to commit rape upon her, however, on account of
crying of the child, people from the neighbourhood had come
there and caught the petitioner as also had handed him over to
the Police personnel.



The learned counsel for the petitioner has submitted that there is no allegation of the petitioner having committed rape upon the victim girl. It is also submitted that the petitioner is having a clean antecedent and is languishing in custody since 22.03.2019.

I have heard the learned counsel for the parties and I find that the petitioner is alleged to have committed a very heinous crime of having tried to rape a six years old child and was caught red handed by the villagers upon hearing the cry of the innocent child. There are ample materials in the case diary to suggest the complicity of the petitioner in the present case apart from the fact that the child has also corroborated the incident in her statement made under Section 164 Cr.P.C before the learned Magistrate.

Considering the gravity of the offence alleged as also there being *prima facie* ample material to connect the petitioner with the alleged crime, I do not find the present case to be a fit case for grant of regular bail, hence the present petition stands dismissed.

(Mohit Kumar Shah, J)

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