

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.74119 of 2019

Arising Out of PS. Case No.-25 Year-2019 Thana- SINGHESHWAR District- Madhepura

CHHOTKAN RISHIDEO Son of Mahendra Rishideo Resident of Village -
Bhalwa, Ward No. 1, P.S.- Singheshwar, Distt - Madhepura.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Uday Chand Prasad

For the Opposite Party/s : Mr.Ram Anurag Singh

CORAM: HONOURABLE MR. JUSTICE VINOD KUMAR SINHA
ORAL ORDER

3 18-12-2019 Petitioner seeks bail in connection with Singheshwar

P.S. Case No. 25 of 2019 registered for the offences punishable

under Sections 376, 511 of the Indian Penal Code and Section 8

of POCSO Act.

As per FIR there is allegation against the petitioner

that he attempted to commit rape upon six years old daughter of

the informant.

Submission of learned counsel for the petitioner is

that no case is made out under Sections 376/511 IPC as victim

has herself stated in her statement under Section 164 Cr.P.C. that

nothing bad has been done with her and petitioner is in custody

since 4.2.2019.

Heard learned APP, who has opposed the prayer for

bail stating that FIR as well as statement of the witnesses clearly



disclosed the allegation against the petitioner of attempting to commit rape upon six years old daughter of the informant and moreover as she is minor she supposed to know what is bad and what is wrong.

In view of above facts and circumstances, I am not inclined to grant bail to the petitioner. However, learned trial court is directed to expedite the trial and if no such substantial progress is made in the trial within a period of nine months, petitioner is at liberty to renew his prayer for bail.

Accordingly, this application is dismissed.

(Vinod Kumar Sinha, J)

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