

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.2805 of 2020

Arising Out of PS. Case No.-143 Year-2019 Thana- MAHILA P.S. District- Araria

Sudhir Rai @ Sudhir Ram, aged about 42 yrs (Male), Son of Late Shibu Rai,
Resident of Village- Gunwanti, P.S.- Basunsi, Dist- Araria.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Ramesh Kumar Singh

For the Opposite Party/s : Mr.Binay Krishna

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR SINHA
ORAL ORDER

4 20-03-2020 Heard Mr. Ramesh Kumar Singh, learned counsel for

the petitioner and learned Additional Public Prosecutor for the

State.

The petitioner seeks regular bail in connection with
Araria (Mahila) P.S. Case No. 143 of 2019 corresponding to
Special (POCSO) Case No. 61 of 2019, registered for the
offence punishable under Section 376 of the Indian Penal Code,
1860, Section 3/4 of the POCSO Act and Section 3 (2)(v) of the
SC / ST Act.

The allegation against the petitioner is that the
petitioner tried to commit rape on the minor daughter of the
informant aged about 09 months.

Mr. Ramesh Kumar Singh, learned counsel appearing
for the petitioner submits that petitioner has not committed any



offence in the manner alleged and he has falsely been implicated in this case due to some dispute regarding wages inasmuch as the petitioner had constructed a toilet in the house of the informant.

On the other hand, learned counsel appearing for the State vehemently opposes the prayer for regular bail and submits that doctor has examined the victim girl, who is 09 months old and has found attempt of sexual offence upon the victim, as such, the petitioner does not deserve the privilege of regular bail in the facts and circumstances of the case.

After having heard learned counsel for the parties and taking into consideration the fact that allegation against the petitioner is specific in nature, I am not inclined to grant regular bail to the petitioner.

The petition is rejected.

(Anil Kumar Sinha, J)

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