

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.12893 of 2020

Arising Out of PS. Case No.-156 Year-2019 Thana- SIDHWALIYA District- Gopalganj

Firoz Ali, Son of Md. Salim Mian Resident of Village - Salempur, P.S.-
Sidhwaliya, District - Gopalganj.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s	:	Mr. Lokesh Kumar Singh- Advocate Mr. Abhishek Kumar Singh- Advocate
For the State	:	Mr. Madhuri Lata- A.P.P.
For the Informant	:	None

**CORAM: HONOURABLE MR. JUSTICE HEMANT KUMAR
SRIVASTAVA**

ORAL ORDER

4 26-08-2020 The office has reported that no petition supported with
an affidavit has been filed on behalf of the petitioner.

Heard learned counsel appearing for the petitioner as
well as learned Additional Public Prosecutor appearing for the
State through video conferencing. No one appears on behalf of
the informant.

Petitioner is in custody since 06.11.2019 and seeks
bail in connection with Sidhwaliya P. S. Case No.156 of 2019
registered for the offences punishable under Section 376 of the
I.P.C. and Section 4/7 of the POCSO Act.

The accusation against the petitioner is that he
committed rape on minor daughter of the informant, but



submission on behalf of the petitioner is that no such occurrence, as alleged in the first information report, did ever take place and, as a matter of fact, the victim was in love with petitioner and, subsequently, petitioner as well as victim solemnized their marriage. He further points out that the informant as well as the victim have filed the compromise petition before the trial Court.

Taking note of this fact that there is specific allegation of rape against the petitioner and the victim supported the prosecution case in her statement recorded under Section 164 of the Cr.P.C., I am not inclined to release the petitioner on bail.

Accordingly, his prayer for bail stands rejected.

However, the trial Court should expedite the trial of the petitioner.

(Hemant Kumar Srivastava, J)

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