

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21561 of 2020

Arising Out of PS. Case No.-30 Year-2019 Thana- MAHILA P.S. District- Vaishali

AKHILESH SINGH @ MUNNA SINGH Son of Lakshan Deo Singh @
Lachadeo Singh Resident of Village - Patedha Jairam, P.S.- Belsar (O.P.)
Vaishali, District - Vaishali

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Malay Kumar Choudhary, Advocate.
For the Opposite Party/s : Mr. Uday Chandra, APP.

CORAM: HONOURABLE MR. JUSTICE BIRENDRA KUMAR
ORAL ORDER

4 28-09-2020 This matter has been taken up through Video Conferencing.

Heard the parties.

The petitioner is languishing in custody for the offence punishable under Sections 376(i)(ii)/506 of the Indian Penal Code and Section 4 of the POCSO Act.

According to F.I.R., the petitioner allegedly ravished the victim girl when she was alone on the way to the doctor. The victim is herself informant of this case and in her statement under Section 164 Cr.P.C. also she disclosed the entire occurrence. The date of birth of the victim recorded in the school certificate is 08.11.2001. As such, she was below 18 years of age on the alleged date of occurrence dated 21.08.2019. Besides aforesaid, she has disclosed her age as 16 years and the



learned Magistrate has also assessed her age as 16 years.

Learned counsel for the petitioner submits that there is land dispute between the parties and for that reason false allegation has been levelled against the petitioner. Moreover, case diary would reveal that different statement has been made by the witnesses including the victim herself stated that she had not named the petitioner. Petitioner is in custody since 18.02.2020

Considering the nature and seriousness of allegation and material available on the record against the petitioner, I am not inclined to enlarge him on bail in connection with Vaishali Mahila P.S. Case No. 30 of 2019.

Prayer for bail of the petitioner is refused.

Learned trial Judge is directed to expedite the trial of the aforesaid case.

Petitioner may renew prayer for bail if the trial is not concluded within one year.

(Birendra Kumar, J)

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