

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.21643 of 2020**

Arising Out of PS. Case No.-388 Year-2018 Thana- CHAPRA TOWN District- Saran

RAM SWAROOP PANDIT Son of Late Brahmdep Pandit Resident of
Mohalla - Mauna, Husse Chapra, P.S.- Chapra Town, District - Saran at
Chapra

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Satya Prakash

For the Opposite Party/s : Mrs. Anita Kumari Singh

**CORAM: HONOURABLE MR. JUSTICE MOHIT KUMAR SHAH
ORAL ORDER**

2 06-07-2020 The present petition has been taken up for consideration through the mode of Video conferencing in view of the prevailing situation on account of COVID-19 Pandemic, requiring social distancing.

Heard the learned counsel for the petitioner and Mrs. Anita Kumari Singh, learned A.P.P. for the State.

The petitioner seeks regular bail in connection with POCSO Case No. 49 of 2018 arising out of Chapra Town P.S. Case No. 388 of 2018 of for the offence punishable under Sections 376(C), 201, 315 and 120(B) of the Indian Penal Code and Sections 4 & 6 of the POCSO Act.

The case of the prosecution is that upon inspection of *Alpawas* centre at Saran by a Committee constituted by the



Headquarters, it was found that the petitioner herein, who is the Guard of *Alpawas Grih* has committed rape with one female inmate.

The learned counsel for the petitioner has submitted that the petitioner is innocent, he has been falsely implicated in the present case and is languishing in custody since 15.07.2018.

Per contra, the learned A.P.P. for the State has vehemently opposed the prayer for bail.

I have gone through the materials on record, including the FIR and the impugned order dated 10.12.2018 as also heard the learned counsel for the parties. It is clear from a bare perusal of the FIR and the impugned order dated 10.12.2018 that there is direct and specific allegation of committing rape with the victim girl as far as the petitioner is concerned and the impugned order dated 10.12.2018 would also show that ample material has been collected during the course of investigation by the Police, which is reflected from the case diary and the victim girl has also supported the incident of commission of rape upon her by the petitioner, hence I do not deem it fit and proper to consider the prayer of the petitioner for grant of regular bail, considering the heinous nature of crime alleged to have been committed by the petitioner as also in view of the grievousness



of the offence alleged, thus the present petition stands dismissed.

(Mohit Kumar Shah, J)

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