

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.31499 of 2020

Arising Out of PS. Case No.-4 Year-2020 Thana- MOTIHARI MUFASIL District- East
Champaran

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RITIK KUMAR @ NILU SAHANI Son of Ram Bharos Sahani Resident of
Village - Lakhaura Purwari Tola, P.S.- Lakhaura, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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Appearance :

For the Petitioner/s : Mr.Umesh Chandra Verma, Adv.
For the Opposite Party/s : Mr.Ehteshamuddin, APP

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CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR JHA
ORAL ORDER

2 02-12-2020 Heard both sides through Video Conferencing.

The petitioner seeks bail in Motihari Muffasil P.S.
Case No.4 of 2020 registered under Sections 376A,B and 506 of
the Indian Penal Code and under Section 4 of the POCSO Act.

According to the allegation, as disclosed by the
informant, her minor daughter had gone to clean utensil at
handpump but after sometimes she was not seen in the house.
After search, she was not traced out. At 11.00 P.M., her daughter
came and narrated that the petitioner took her to Sareh and
forcibly established physical relation with her.

The learned counsel for the petitioner submits that
petitioner is innocent and he has committed no offence. The
victim went along with the petitioner to Sareh. It is not possible



to forcibly took the victim to a lonely place from the place thickly populated. It is further submitted that on account of family dispute, the petitioner has falsely been implicated in the case but it appears that victim narrated the entire story to her parents and she made her statement under Section 164 Cr.P.C. She disclosed that while she was cleansing utensils, her mouth was closed and she was dragged to a bamboo bush and she was raped.

Taking into consideration the fact that the petitioner is alleged to have committed rape with a minor girl, I am not inclined to enlarge the petitioner on bail and accordingly, the same is rejected.

The trial court is directed to hold the trial on day to day basis and conclude the same within one year from the date of receipt of this order after commitment of the case.

(Prabhat Kumar Jha, J)

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