

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.13176 of 2021**

Arising Out of PS. Case No.-361 Year-2020 Thana- KESARIA District- East Champaran

PRABHAT RANJAN Son of Late Vishwanath Prasad Resident of Village -
Rajpur, P.S.- Kesariya, District - East Champaran.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Yogesh Chandra Verma, Sr. Adv

For the Opposite Party/s : Ms. Rita Verma, APP

**CORAM: HONOURABLE MR. JUSTICE MADHURESH PRASAD
ORAL ORDER**

4 17-08-2021 In view of sudden resurgence of COVID – 19
infection there is limited functioning of the High Court and
therefore the matter has been listed for consideration through
virtual mode.

Heard learned senior counsel for the petitioner and
learned APP for the State.

This Court would expect that the petitioner's
Counsel would honour his undertaking in the instant
proceedings regarding supply of requisite court fee etc. within
two weeks from the date he is called upon to do so by the office.

Petitioner seeks bail in connection with Kesariya P.S.
Case No. 361 of 2020 registered under Section 376 of the Indian
Penal Code and Sections 6 and 8 of POCSO Act.

The informant has alleged that her husband has tried
to commit rape on her three and a half year old daughter.



Learned senior counsel for the petitioner submits that the allegation appears to be preposterous and unbelievable. He further submits that implication is based on extraneous considerations and palpably false. The petitioner is stated to be in custody since 7.9.2020.

Learned APP has taken the Court through the medical examination of the alleged victim, wherein the doctor has found some white discharge, inflammation and tenderness near victim's private parts. It is submitted that such findings support the allegation against the instant petitioner.

Considering the rival submissions as also the facts and circumstances of the case, this Court for the purposes of grant of bail is inclined to accept the submissions advanced by the learned APP. This Court, for the present, is not inclined to allow petitioner's prayer for bail. The same is rejected.

The application is thus dismissed.

The learned Trial Court is directed to expedite the trial without any undue delay or unnecessary adjournments.

(Madhuresh Prasad, J)

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