

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.17303 of 2021**

Arising Out of PS. Case No.-214 Year-2020 Thana- KADWA District- Katihar

Md. Jahrul @ Jahrul Son of Khursed Ali Resident of Village - Singalpur, P.S.-
Kadwa, District - Katihar.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Bimal Kumar

For the Opposite Party/s : Mr.A.G.

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

8 10-12-2021 Heard learned counsel for the petitioner and learned
A.P.P for the State through video conferencing.

The petitioner seeks bail in Kadwa P.S. Case No. 214
of 2020, registered for the offence punishable under Section 376
of the Indian Penal Code and section 4 of the POCSO Act.

As per the prosecution case, this petitioner committed
rape with minor daughter of informant.

It is submitted on behalf of the petitioner that
petitioner has falsely been implicated in this case. As a matter of
fact, dispute arose between the parties on the issue of fishing. It
is further submitted that there was no sign of sexual intercourse.
No external or internal injury was found by the doctor on the
private part of victim girl. Petitioner is in custody since
04.10.2020 having no criminal antecedent.



Learned APP however, vehemently opposed the prayer for bail and submitted that victim girl in her statement under Section 164 Cr.P.C has duly supported the prosecution case.

In view of statement of victim girl under Section 164 Cr.P.C., I am not inclined to enlarge the petitioner above-named on bail. Accordingly, the same is rejected.

(Prabhat Kumar Singh, J)

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