

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.16608 of 2021

Arising Out of PS. Case No.-579 Year-2019 Thana- MANER District- Patna

RAM BABU GULGULIYA @ R.B.GULGULIYA Son of Biltu Gulguliya
Resident of Village- Dost Nagar, P.S.- Maner, District- Patna.

... .. Petitioner

Versus

THE STATE OF BIHAR

... .. Opposite Party

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Mishra, Advocate
For the Opposite Party/s : Mr.Uday Pratap Singh, APP

CORAM: HONOURABLE MR. JUSTICE RAJESH KUMAR VERMA
ORAL ORDER

4 29-11-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

Let the defects, as pointed out by the office, be removed within four weeks of start of normal functioning of the physical court.

Petitioner seeks bail in connection with Special (POCSO) Case No. 239 of 2019 arising out of Maner P.S. Case No. 579 of 2019 registered for the offences punishable under Section 376 of the I.P.C. and Sections 4/8 of the POCSO Act.

Allegation against the petitioner is that he committed rape on her daughter.

Learned counsel for the petitioner submits that petitioner has clean antecedent and has committed no offence and he has falsely been implicated in the present case. Learned



counsel further submits that the victim in her statement under Section 164 Cr.P.C. has levelled allegation of rape against the petitioner but in medication examination the doctor has not found any confirmatory sign of rape or any external or internal injuries upon the body of the victim. Charge sheet has been submitted in this case. Petitioner is in custody since 25.11.2019.

Learned Additional Public Prosecutor has opposed the prayer of the petitioner on the ground that the victim in her statement under Section 164 of the Cr.P.C. has levelled allegation of rape against her father. He further submits that the relation of father and daughter is pious relation but the petitioner has crossed the limit.

Considering the facts and circumstances of the case as well as submissions of the parties, I am not inclined to enlarge the petitioner on bail and accordingly, the same stands rejected.

The trial court is directed to expedite the trial.

(Rajesh Kumar Verma, J)

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