

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19172 of 2021

Arising Out of PS. Case No.-29 Year-2020 Thana- MAHILA P.S. District- Samastipur

ANAND KUMAR PANDEY @ SUMIT KUMAR @ ANAND KUMAR Son
of Dinesh Pandey Resident of Village - Shahuri, Police station - Chak Mehasi,
District - Samastipur (Bihar).

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Mukund Mohan Jha, Adv.

For the Opposite Party/s : Mr. Lakshmi Kant Sharma, APP

CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER

4 15-11-2021 Heard learned counsel for the parties.

The petitioner has preferred this application for grant
of regular bail in a case registered under section 376AB and
other sections of the Indian Penal Code.

As per the prosecution case, the allegation against
the petitioner is of rape/sexual exploitation by the petitioner on
the threat of making the video/photograph of the informant viral
as also of having cheated a sum of Rs.4-5 lacs besides jewellery.
It is further stated that the petitioner has also been threatening in
various manners on mobile phone.

It is submitted by learned counsel for the petitioner
that the allegations as levelled in the F.I.R. are false and
concocted. There was love affair between the parties and no



offence is made out in view of the informant being major. It is further submitted that there is an unexplained delay in lodging of the F.I.R. and the petitioner is in custody since 4.6.2020.

The application for bail is opposed by learned A.P.P. for the State.

A report was called for with respect to the stage of the trial from the learned trial court. As per the report received contained in letter dated 24.9.2021 of the Additional District and Sessions Judge VI-cum-Special Judge, POCSO Act, Samastipur, the examination of prosecution witnesses has been closed and the case is pending for examination of defence witnesses.

Having heard learned counsel for the parties and taking into consideration the nature of allegation together with the stage of the trial as per the report contained in letter dated 24.9.2021 received from learned trial court, the Court is not inclined to enlarge the petitioner on bail and the application is rejected.

Learned trial court is directed to expedite the trial.

(Partha Sarthy, J)

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