

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.19142 of 2021**

Arising Out of PS. Case No.-551 Year-2019 Thana- PAROO District- Muzaffarpur

SUNDESHWAR RAM Son of Asarfi Ram Resident of Village - Kataru
Dubey Tola, P.S.- Paroo, Dist.- Muzaffarpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sanjay Parasmani, Adv.

For the Opposite Party/s : Ms. Indu Kumari Srivastava, APp

**CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY
ORAL ORDER**

3 21-10-2021

Heard learned counsel for the parties.

The petitioner has preferred this application for grant of regular bail in a case registered under sections 4 and 6 of the POCSO Act and section 376 of the Indian Penal Code.

As per the prosecution case, the petitioner is stated to have committed rape on the minor informant.

It is submitted by learned counsel for the petitioner that the allegations as levelled in the F.I.R. are false and concocted. The informant and the petitioner happen to be the cousin brother and sister. The cause of false implication is the break up of the marriage of the informant for which the informant and her family members think the family of the petitioner to be responsible. It is further submitted that the injury report does not support the allegations levelled in the



F.I.R. The petitioner is in custody since 17.12.2020 and has no criminal antecedent.

Heard learned A.P.P. for the State.

Having heard learned counsel for the parties and taking into consideration the direct allegation against the petitioner of having committed rape on the minor informant which is supported by the minor victim in her statement under section 164 Cr.P.C, 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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