

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.29879 of 2021

Arising Out of PS. Case No.-43 Year-2020 Thana- NAURANGIA District- West Champaran

Hridyanand Patwari S/O Akhilesh Patwari R/O Village Binwaliya, Police
Station-Laukariya, District- West Champaran

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Sachida Nand Rai- Advocate

For the Opposite Party/s : Mr. Rajesh Kumar- A.P.P.

CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA
ORAL ORDER

2 24-11-2021 Heard the learned Advocate for the petitioner and

the learned APP for the State.

The petitioner seeks bail in connection with
Naurangia P. S. Case No.43 of 2020, instituted for the
offences under Sections 376 of the Indian Penal Code and
Section 4 of the POCSO Act.

The learned counsel for the petitioner submits that
the informant has alleged that his brother-in-law
Hridyanand Patwari (petitioner) had come to his house and
took her minor daughter aged about 4 years on motorcycle
and thereafter, at 7.00 P.M. he dropped the child. It is
further alleged that the informant saw the blood was oozing
from the private part of the child and took her to the doctor



for treatment. It is alleged that petitioner committed rape as he anticipated.

The learned counsel for the petitioner submits that petitioner has been falsely implicated in this case. He is the husband of the sister of the informant and since there is dispute regarding property. As such, the present false case has been instituted.

Learned A.P.P. vehemently opposes the bail application and submits that apart from this oral submission about the property dispute, nothing has been pleaded that what kind of property dispute was existing between the informant and her sister or whether any case regarding dispute relating to property between the informant and his sister has been filed or not.

Learned A.P.P. further submits that no father would level such false allegation with respect to her own minor daughter and thus, would bring disrepute to the family.

Considering the fact that the allegation prima facie appears to be heinous, this Court is not inclined to enlarge the petitioner on bail.



Accordingly, his prayer for regular bail stands
rejected.

(Satyavrat Verma, J)

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