

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.30988 of 2021

Arising Out of PS. Case No.-259 Year-2020 Thana- DALSINGHSARAI District- Samastipur
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RAMESH RAM SON OF LATE SAKHI CHAND RAM Resident of Village -
Kamraon, Tola Shambhua, Ward no.14, P.S.- Dalsingsarai, Distt.- Samastipur.

... .. Petitioner/s

Versus

THE STATE OF BIHAR (SPL. P.P POCSO ACT.)

... .. Opposite Party/s
=====

Appearance :

For the Petitioner/s : Mr. Sachchidanand Choudhary, Adv.

For the Opposite Party/s : Mr. Jharkhandi Upadhyay, APP
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CORAM: HONOURABLE MR. JUSTICE PARTHA SARTHY

ORAL ORDER

3 24-12-2021 Heard learned counsel for the parties through video conferencing.

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

As per the prosecution case, it is stated by the informant that the petitioner committed rape on her 11 year old daughter.

It is submitted by learned counsel for the petitioner that the petitioner is a 67 year old man and has been falsely implicated in the case by the informant as a result of land dispute. Referring to the medical report, it is submitted that the same clearly falsifies the allegations levelled in the F.I.R. in so far as absolutely no sign of rape was found and the hymen was



found intact. The petitioner is in custody since 8.9.2020 and has no criminal antecedent. Chargesheet has been submitted in the case.

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

Having heard learned counsel for the parties and taking into consideration the allegations in the F.I.R. wherein direct allegation of rape has been levelled against the petitioner and the same has been supported by the eleven year old 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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