

**IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.38125 of 2020**

Arising Out of PS. Case No.-191 Year-2019 Thana- LODIPUR District- Bhagalpur

PRAMOD MANDAL S/o Kesho Mandal Resident of Village-Badi Nima, P.S-
Jagdishpur, District-Bhagalpur.

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr. Diwakar Upadhyaya
For the Opposite Party/s : Mr. APP

**CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER**

2 05-02-2021 Heard learned counsel for the petitioner and learned
Additional Public Prosecutor for the State.

The petitioner is in custody since 30.10.2019 in connection with POCSO Case No. 149/2019 (arising out of Lodipur P.S. Case No. 191/19) registered for the offences punishable under Sections 376 of the Indian Penal Code and Section 4 of the POCSO Act.

As per the prosecution case, this petitioner is alleged to have sexually assaulted five years old daughter of the informant and the said fact has also been supported by the victim girl in her statement recorded under Section 164 of the Cr. P.C.

It is submitted on behalf of the petitioner that the petitioner has been falsely implicated in this case due to enmity.



It is further submitted that the petitioner used to demand his labour charge from the informant and the informant denied the same and lodged the present case against him. Petitioner is in custody since 30.10.2019.

However, learned A.P.P. appearing on behalf of the State vehemently opposed the bail application and submitted that the specific allegation of assaulting a five years old girl is against this petitioner.

Considering the gravity of allegation, I am not inclined to grant bail to this petitioner. It is, accordingly, rejected.

However, since the petitioner is in custody since 30.10.2019, trial court is directed to expedite the trial as early as possible.

(Prabhat Kumar Singh, J)

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