

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.54096 of 2021

Arising Out of PS. Case No.-119 Year-2021 Thana- MOHAMMADPUR District- Gopalganj

Rajesh Yadav @ Bijali Yadav Son Of Mohan Ray Resident Of Village -
Vishunpura Kothi, P.S.- Sidhwaliya, Dist.- Gopalganj.

... .. Petitioner/s

Versus

THE STATE OF BIHAR

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mr.Sanjay Kumar Pandey No.5

For the Opposite Party/s : Mr.Jai Narain Thakur

CORAM: HONOURABLE MR. JUSTICE PRABHAT KUMAR SINGH
ORAL ORDER

2 03-12-2021 Heard learned counsel for the petitioner and the State.

The petitioner seeks regular bail registered for the offences punishable under sections 376 of the Indian Penal Code and sections 4 and 6 of the POCSO Act.

As per the prosecution case, petitioner forcibly made physical relation with the informant.

Learned counsel for the petitioner submits that the petitioner is innocent and has falsely been implicated in this case and in the medical report there is no evidence of sexual assault upon the informant and in trial informant has not identified the petitioner. Petitioner has got clean antecedent as stated in paragraph 3 of the bail petition. Petitioner is in custody since 2.7.2021.

Learned counsel for the State opposes the prayer for



bail and submits that the trial is in progress and five witnesses have been examined so far.

Considering the nature of accusation against the petitioner and the progress of the trial, his prayer for bail is refused with direction to the trial court to conclude the trial preferably within nine months.

(Prabhat Kumar Singh, J)

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